



Norfolk Southern Corporation
Law Department
Three Commercial Place
Norfolk, Virginia 23510-9241

215544
James R. Paschall
Senior General Attorney

Writer's Direct Dial Number

(757) 629-2759

January 11, 2006

VIA FEDERAL EXPRESS

Mr. Vernon A. Williams, Secretary
Surface Transportation Board
1925 K Street, N.W.
Washington, D. C. 20006

4
JAN 12 2006
RECEIVED

Re: STB Docket No. AB-290 (Sub. No. 265X), Norfolk Southern Railway
Company – Abandonment Between Fort McClellan and Anniston -
In Calhoun County, Alabama – Notice of Exemption

Dear Mr. Williams:

Enclosed for filing with the Board in the captioned proceeding are an original and ten copies of the Notice of Exemption. Also, enclosed is a check in the amount of \$3000 to cover the filing fee.

NSR's intention is to file this Notice of Exemption on January 13, 2006. If the Board receives this filing before January 13, 2006, NSR requests that the filing date be postponed to January 13, 2006.

Please acknowledge receipt on the enclosed copy of this letter and return it to me in the self-addressed, stamped envelope.

Yours very truly,

James R. Paschall

JRP/kch
Enclosures

ENTERED
Office of Proceedings

BEFORE THE
SURFACE TRANSPORTATION BOARD

DOCKET NO. AB-290 (SUB-NO. 265X)

NORFOLK SOUTHERN RAILWAY COMPANY
-- ABANDONMENT BETWEEN FORT MCCLELLAN AND ANNISTON--
--
IN CALHOUN COUNTY, ALABAMA

VERIFIED NOTICE OF EXEMPTION

COMES NOW Norfolk Southern Railway Company ("NSR") and files this notice of exemption from regulation under 49 U.S.C. §§ 10903, pursuant to the provisions of 49 U.S.C. § 10502 and 49 CFR § 1152.50, for abandonment of its line of railroad lying between milepost 55.3-N at Fort McClellan and milepost 61.1-N at Anniston, in Calhoun County, Alabama.

Pursuant to regulations adopted by the Interstate Commerce Commission in Ex Parte No. 274 (Sub-Nos. 8 and 8A), Exemption of Out of Service Rail Lines, 366 I.C.C. 885 (1983) and 1 I.C.C.2d 55 (1984), and by the Surface Transportation Board ("Board" or "STB") in STB Ex Parte No. 537, Abandonment and Discontinuance of Rail Lines and Rail Transportation Under 49 U.S.C. 10903, served December 24, 1996, and codified at 49 CFR § 1152.50, NSR states as follows:

Traffic Certification - §§ 1152.50(b) and (d)(2)

As the attached certificate of General Manager G. R. Comstock confirms, no traffic has originated, terminated or moved overhead on this line segment for at least two years (or any overhead traffic on the line can be rerouted over other lines), and no complaint is pending with the Board or a U. S. District Court or has been decided in favor of a complainant concerning cessation of service over this line within the two-year period.

Consummation Date - § 1152.50(d)(2)

The effective date of the abandonment between milepost 55.3-N at Fort McClellan and milepost 61.1-N at Anniston, in Calhoun County, Alabama, will be March 4, 2006.

General Corporate Information - § 1152.22(a)(1-2) and (7)

The party filing this notice is Norfolk Southern Railway Company, a common carrier by railroad subject to STB jurisdiction under the Interstate Commerce Commission Termination Act (Interstate Transportation Act) (49 U.S.C. Subtitle IV, Chapter 105), whose representative to whom correspondence may be sent is:

James R. Paschall
Senior General Attorney
Norfolk Southern Corporation
Three Commercial Place
Norfolk, Virginia 23510
(757) 629-2759

Description of the Line and the Relief Sought - § 1152.22(a)(3-4 and 7)

The relief sought is an exemption from the prior approval requirements of 49 U.S.C. §10903 in order for NSR to abandon the subject line. The line that will be

subject to abandonment under the exemption consists of 5.8 miles of track between milepost 55.3-N at Fort McClellan and milepost 61.1-N at Anniston, in Calhoun County, Alabama. A map showing the line to be abandoned, other rail lines in the area, highways, and population centers is attached as Exhibit 1 to this notice. The line traverses United States Postal Service ZIP Codes 36201, 36203, 36205, 36206 and 36207.

In ICC Docket No. AB-290 (Sub-No. 171X), Norfolk Southern Railway Company -- Abandonment Exemption -- Between Jacksonville and Fort McClellan, AL, 60 FR 48168, September 18, 1995, the ICC published NSR's notice of exemption to abandon its line of railroad between milepost 48.0-N at Jacksonville, AL, and milepost 55.3-N at Fort McClellan, AL, in Calhoun County, AL, a total distance of 7.3 miles. The Board's subsequently amended regulation requiring railroads to consummate line abandonments through filing a letter of consummation with the Board did not, and does not, apply to the line that was the subject of that proceeding. NSR retained a segment of the right-of-way of the Jacksonville-Ft. McClellan line between approximately mileposts 55.0-N and 55.3-N for possible reactivation or future lead track use pending possible industrial development in the area after the contemporaneous closure of Fort McClellan. NSR included the retained segment between mileposts 55.1-N and 55.3-N in the environmental report in this matter. Since the notice of consummation requirement does not apply to the Jacksonville-Ft. McClellan line that was the subject of the exemption in ICC Docket No. AB-290 (Sub-No. 171X), however, NSR believes that it is not necessary for the Board to grant a further exemption for the abandonment of the previously retained line segment between either milepost 55.0-N or milepost 55.1-N

and milepost 55.3-N. NSR believes it may consummate the abandonment of the remaining segment that was the subject of the prior proceeding without further exemption or authorization from the Board.

Suitability of the Line for Other Public Purposes - § 1152.22(e)(4)

NSR has received no inquiries about public use of the right-of-way comprising the Line and is unaware of any potential public purposes to which the right-of-way may be suited.

NSR is not aware of any restriction on the title to the right-of-way that would affect the transfer of title or the use of property for other than rail purposes but will provide full title information promptly if it receives a proposal to acquire the property for public purposes.

Labor Protection - § 1152.50(d)(2)

Since the line to be abandoned has been out of service for over two years, NSR believes no employees will be adversely affected by exercise of abandonment authority for this line. However, as a condition to exercise of the authority permitted in this matter, NSR will accept the imposition of standard labor protective conditions as set forth in Oregon Short Line R. Co. - Abandonment - Goshen, 360 I.C.C. 91 (1979).

Environmental and Historic Reports; Certifications - § 1105.7 and § 1105.8

Attached are environmental and historical reports prepared and served in accordance with the Surface Transportation Board's regulations. NSR certifies that the

notice and transmittal requirements of § 1105.7, § 1105.8 and § 1105.11 have been met. As noted above, the report includes a segment of line between mileposts 55.1-N and 55.3-N as to which the ICC previously published a notice of exemption and which did not need to be included in this filing. The initial environmental report to the governmental agencies or bodies showed milepost 61.0-N as the other end point of the line segment to be abandoned. Included with the report is a subsequent letter that NSR sent to the recipients of the report advising them that the report includes an additional 0.1-mile of line. Thus, the end point of the line to be abandoned would be milepost 61.1-N rather than milepost 61.0-N.

Service and Newspaper Notice Requirements Certification - § 1152.50(d)(1-2)

As the attached certification indicates, NSR certifies that it has complied with the service and notice requirements of § 1152.50(d)(1)(certain government agencies) and § 1105.12 (newspaper notice).

For the foregoing reasons, NSR believes the proposed rail line abandonment is exempt from the prior approval requirements of 49 U.S.C. §§ 10903 pursuant to 49 C.F.R. § 1152.50 and requests that the Board serve the appropriate notice of exemption.

Respectfully submitted,



David A. Brown
Vice President Strategic Planning
Norfolk Southern Railway Company

Of Counsel:
James R. Paschall
Senior General Attorney
Norfolk Southern Corporation
Three Commercial Place
Norfolk, Virginia 23510-2191
(757) 629-2759

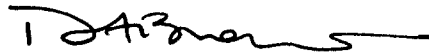
Attorney for Norfolk Southern
Railway Company

Dated: January 11, 2006

VERIFICATION

COMMONWEALTH OF VIRGINIA :
: SS:
CITY OF NORFOLK :

David A. Brown, being duly sworn, deposes and says that he is Vice President Strategic Planning of Norfolk Southern Railway Company; that he is authorized to sign, verify, and file with the Surface Transportation Board the foregoing Notice of Exemption in AB-290 (Sub-No. 265X) on behalf of Norfolk Southern Railway Company; that he has carefully examined all of the statements contained in said Notice of Exemption; that he has knowledge of the matters set forth therein; and that all such statements made and matters set forth are true and correct to the best of his knowledge, information, and belief.



David A. Brown

Subscribed and sworn to before me
this 10th day of January, 2006.


Notary Public

My commission expires:

November 30, 2009

[SEAL]

CERTIFICATION

STATE OF GEORGIA :
SS:
CITY OF ATLANTA :

G. R. Comstock makes oath and says that he is General Manager Western Region for Norfolk Southern Railway Company; that the line between milepost 55.3 N at Fort McClellan and milepost 61.1 N at Anniston, in Calhoun County, Alabama, over which operations are to be abandoned, is subject to his supervision and direction; that no local traffic has moved over the line for at least two years, that no overhead traffic has moved over the line for at least two years and that overhead traffic, if there were any, could be rerouted over other lines; and that no formal complaint filed by a user of rail service on the line or a state or local government entity acting on behalf of such user regarding cessation of service over the line either is pending before the Surface Transportation Board or any U. S. District Court or has been decided in favor of the complainant within the two-year period.


G. R. Comstock

Subscribed and sworn to before me
this 19th day of December, 2005.

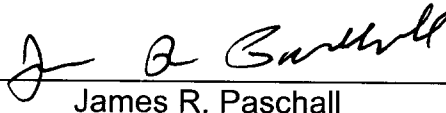
Mary K. Kishin
Notary Public

My commission expires:

Notary Public, Fulton County, Georgia
My Commission Expires June 9th 2008

CERTIFICATION

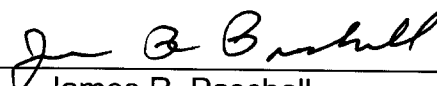
I hereby certify (1), pursuant to § 1105.11, that Environmental and Historic Reports were submitted to the agencies identified in § 1105.7(b) and to the appropriate State Historic Preservation Officer (see Exhibit 2); (2), pursuant to § 1105.12, that a notice of intent to abandon rail service was published in *The Anniston Star*, Anniston, Alabama, on December 16, 2005 (see Exhibit 3); and (3) that the notice required by § 1152.50(d)(1) was given (see Exhibit 4).


James R. Paschall

Dated: January 11, 2006

CERTIFICATE OF SERVICE

I hereby certify that a copy of the foregoing Notice of Exemption was served upon Mr. Jim Sullivan, President, Alabama Public Service Commission; Regional Director, National Park Service; the United States Department of Defense (MTMCTEA); National Park Service, Recreation Resources Assistance Division; National Park Service, Land Resources Division; and U. S. Department of Agriculture, Chief of the Forest Service; on January 11, 2006, by first class mail, postage prepaid.


James R. Paschall

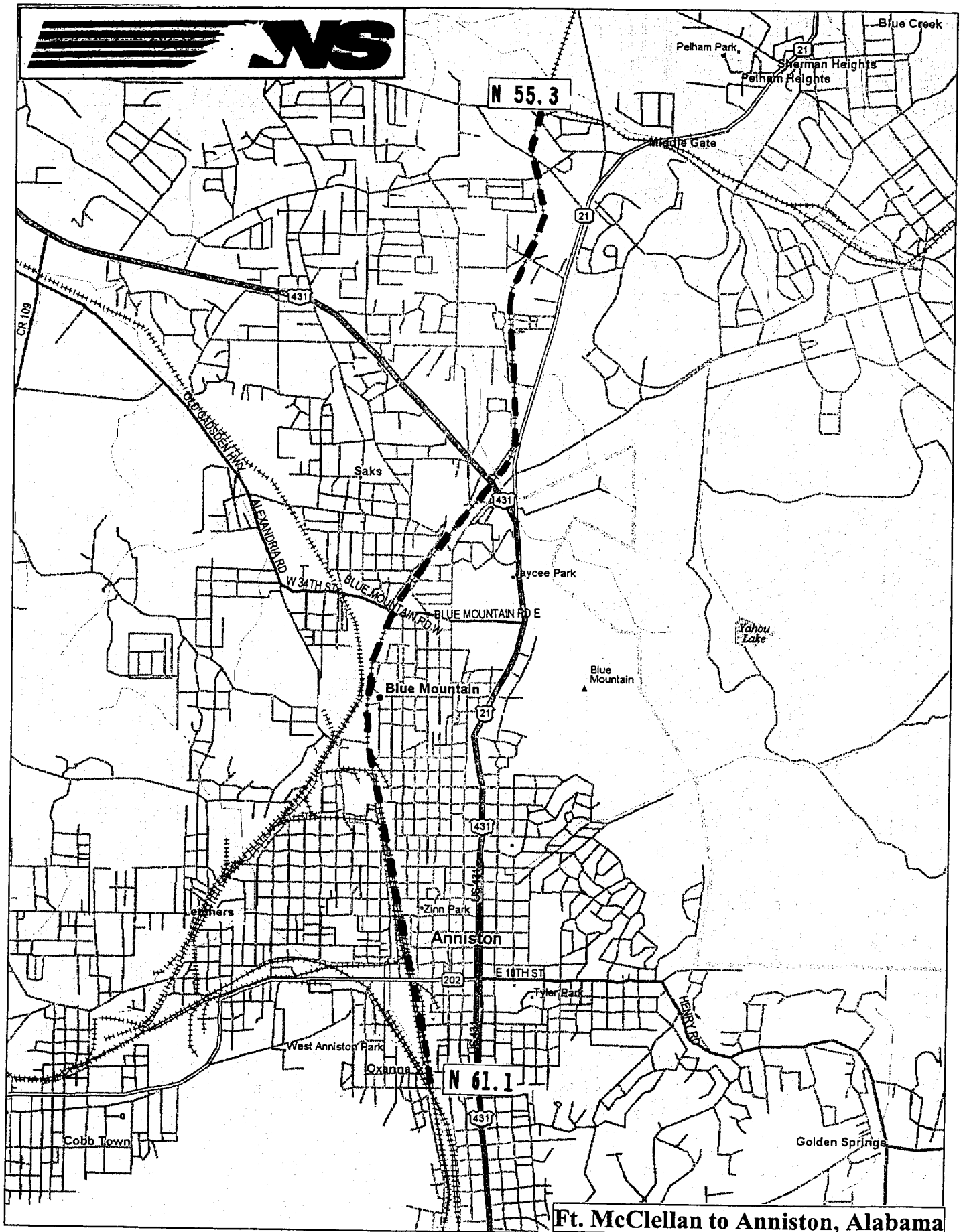


EXHIBIT 2

ENVIRONMENTAL AND HISTORIC REPORTS

**ENVIRONMENTAL REPORT ON
PROPOSED RAIL LINE ABANDONMENT
by
NORFOLK SOUTHERN RAILWAY COMPANY
RAIL LINE SEGMENT LOCATED FROM
FORT McCLELLAN TO ANNISTON, CALHOUN COUNTY,
ALABAMA
(BETWEEN MP 55.1 N AND MP 61.0 N)**

.....
**NORFOLK SOUTHERN RAILWAY COMPANY
ENVIRONMENTAL PROTECTION DEPARTMENT
110 FRANKLIN ROAD, SE BOX 13
ROANOKE, VIRGINIA 24042-0013**

August 3, 2005

(FMAN.doc)

ENVIRONMENTAL REPORT ON PROPOSED RAIL LINE ABANDONMENT

Abandonment of: 5.9 miles of rail line between MP 55.1 N and MP 61.0 N, from Fort McClellan to Anniston, Calhoun County, Alabama.

1. PROPOSED ACTION AND ALTERNATIVES

Norfolk Southern Railway Company (hereinafter called NSR) proposes to abandon 5.9 miles of rail line from Fort McClellan, to Anniston, Calhoun County, Alabama. A map delineating the rail line proposed for abandonment is attached as **Appendix A**.

The two alternatives to abandonment of the entire rail line are:

1. to not abandon; or
2. to discontinue service on the line and retain the trackage in place.

These alternatives are not satisfactory. Service over the line is not required to serve any active shippers. NSR would incur opportunity and other holding costs that would need to be covered by NSR's other customers were the rail line to be retained without being used for active rail freight service. If the rail line is abandoned, the track and materials may be salvaged and the property sold to be put to a more productive use. As a result of this abandonment several grade crossings can be eliminated, which will benefit local traffic and reduce both railroad and public crossing maintenance costs.

NSR's letter to federal, state and local government agencies is attached as **Appendix B**. Responses to the letter or other comments received as result of consultations can be found in **Appendix C**. Certification of the recipients of this report can be found in **Appendix D**.

2. TRANSPORTATION SYSTEM

Effects of the proposed action on regional or local transportation systems and patterns are expected to be negligible. Within the last two years, no rail freight or passenger traffic has moved on the rail line segment proposed for abandonment. Consequently, no rail traffic will be diverted to highway mode as a result of the abandonment.

3. LAND USE

(i) Land Use Plans

The proposed abandonment involves 5.9 miles of rail line from Fort McClellan to Anniston, Calhoun County, Alabama. The land use along the rail line proposed for abandonment of service is 55% unimproved, 25% industrial/commercial and 20% residential. Where NSR owns the right-of-way, it will be allowed to naturally revegetate. Where NSR does not own the right-of-way, the owner and local zoning and development ordinances will control future land use.

With respect to effects of the proposed rail line abandonment on land use, NSR believes any impact will be negligible. The absence of traffic on the rail line proposed for abandonment indicates a substantial lack of rail dependent land uses in the service area. Since no rail traffic moves on the line over which service is to be abandoned, the abandonment is not expected to have any effect on existing land use, future land use, land use plans or the land use planning process. Therefore, the proposed abandonment is expected to be consistent with any land use plans for the service area.

(ii) Prime Agricultural Lands

No effects on any prime agricultural lands are anticipated as a result of the abandonment.

(iii) Coastal Zone

Not Applicable

(iv) Alternative Public Use

NSR does not have fee title to the entire right-of-way underlying the line proposed for abandonment; therefore, NSR will not have a contiguous corridor available for public use. This factor, together with considerations related to location, physical condition, and adjacent conditions, leads NSR to believe the right-of-way of the line proposed for abandonment would not be suitable for highways, other forms of mass transit, energy production related transportation facilities, conservation or recreation corridors, or other public use other than trail use.

4. ENERGY

(i) Development and Transportation of Energy Resources

Development and transportation of energy resources will not be affected by the abandonment. No freight or passenger traffic has moved on the rail line proposed for abandonment for more than two years. Therefore, compared with the past two years, the abandonment would have no effect on development and transportation of energy resources.

(ii) Movement/Recovery of Recyclable Commodities

Movement/recovery of recyclable commodities will not be affected by the abandonment. No freight or passenger traffic has moved on the line proposed for abandonment for more than two years; and therefore, compared with the past two years, the proposed abandonment would have no effect on movement or recovery of recyclable commodities.

(iii) Impact on Energy Efficiency

Energy efficiency will not be impacted by the proposed abandonment. No freight or passenger traffic has moved on the line proposed for abandonment for more than two years; therefore, compared with the past two years, the proposed abandonment would have no effect on energy efficiency.

(iv) Diversion of Traffic to Motor Carriers

No traffic is expected to be diverted to motor carriers in connection with the proposed abandonment.

5. AIR

The proposed action does not exceed Surface Transportation Board thresholds at 49 CFR 1105.7 (e)(5) and therefore does not require a quantified analysis of emissions. Any emission associated with rail removal and salvage operations will be temporary and will not have a significant impact on air quality.

(i) Effects on Air Emissions

Neither the State of Alabama, nor Calhoun County, nor the City of Anniston, has established analysis thresholds for air emissions. The United States Environmental Protection Agency (EPA) has National Ambient Air Quality Standards (NAAQS) for pollutants (including ozone) as found in 40 CFR Part 50; however, NSR does not anticipate any adverse effect on Alabama's air quality as a result of the proposed abandonment.

(ii) Class I or Non-Attainment Area

Calhoun County in Alabama is in attainment for all NAAQS pollutants according to the EPA. Calhoun County is in attainment for ozone. NSR does not believe any Class I or Non-Attainment areas would be affected by the proposed abandonment.

(iii) Ozone Depleting Materials

Not applicable. Transportation of ozone depleting materials (such as nitrogen oxide and Freon[®]) is not contemplated, since the proposed action is abandonment, nor will this action result in the diversion of any such materials from rail to motor carriage.

6. NOISE

The proposed action does not exceed Surface Transportation Board thresholds at 49 CFR 1105.7 (e)(6) and therefore does not require a quantified analysis of noise levels. Noise levels associated with rail removal or salvage operations are temporary and should not have a significant impact on the area surrounding the proposed abandonment.

There is no Federal noise regulation according to the EPA. Neither the State of Alabama nor Calhoun County has established analysis thresholds for noise.

7. SAFETY

(i) Public Health and Safety

Abandonment of the captioned rail line will have no significant effect upon public health or safety. Moreover, the closing of fourteen at-grade crossings on the segment to be abandoned enhances public safety by eliminating distractions to vehicular traffic crossing the line. These crossings are listed in **Appendix E**.

(ii) Hazardous Materials Transport

Not applicable. Action proposed is abandonment.

(iii) Hazardous Waste or Hazmat Spill Sites

NSR has no knowledge of any hazardous waste sites or sites where there have been known hazardous material spills on the right-of-way of the rail line proposed for abandonment or which will be affected by this abandonment. A search of company records was conducted, as well as on-line searches of, National Response Center (NRC) and The USEPA EnviroMapper database. Additionally, the Alabama Department of Natural Resources (ADEM) was contacted to verify if they had any records of known release along this rail line. All of these searches did not reveal any information regarding spills or releases on this property.

8. BIOLOGICAL RESOURCES

(i) Endangered Species/Critical Habitat

The US Fish and Wildlife Service (USFWS) has indicated through correspondence and/or public records that there are 89 threatened or endangered species that may exist statewide. The complete list of these species has been included in **Appendix F** for reference. NSR is not aware of any critical habitat which would be destroyed or modified as a result of the proposed abandonment. Since any salvage operations will be handled generally within the right-of-way, NSR does not believe that any endangered species or critical habitat which might be present would be adversely affected. NSR is willing to undertake reasonable mitigating actions to protect any endangered species which might be encountered in connection with and during abandonment activities.

(ii) Sanctuaries, Refuges and Parks

Based on the site investigation and comments received from government agencies, the rail line segment proposed for abandonment does not pass through any state parks or forests, national parks or forests, or wildlife sanctuaries. No adverse effects on any wildlife sanctuary, National Park or Forest, or State Park or Forest are anticipated.

9. WATER

(i) Water Quality Standards

NSR does not intend to either appreciably remove or alter the contour of the roadbed underlying the rail line to be abandoned. The areal extent of disturbed areas will be kept to a minimum and limited to the right-of-way wherever possible. Since there are no plans to undertake in-stream work, or dredge and/or fill any materials in connection with the proposed abandonment, no water quality impacts are expected in connection with the proposed action. Therefore, NSR considers the abandonment to be consistent with any applicable Federal, State, and/or local water quality standards.

(ii) Wetlands/100-Year Flood Plains

The rail line proposed for abandonment does not cross any waterways or intersect the 100-year flood plain and wetlands associated streams or rivers.

(iii) Section 402 Permit

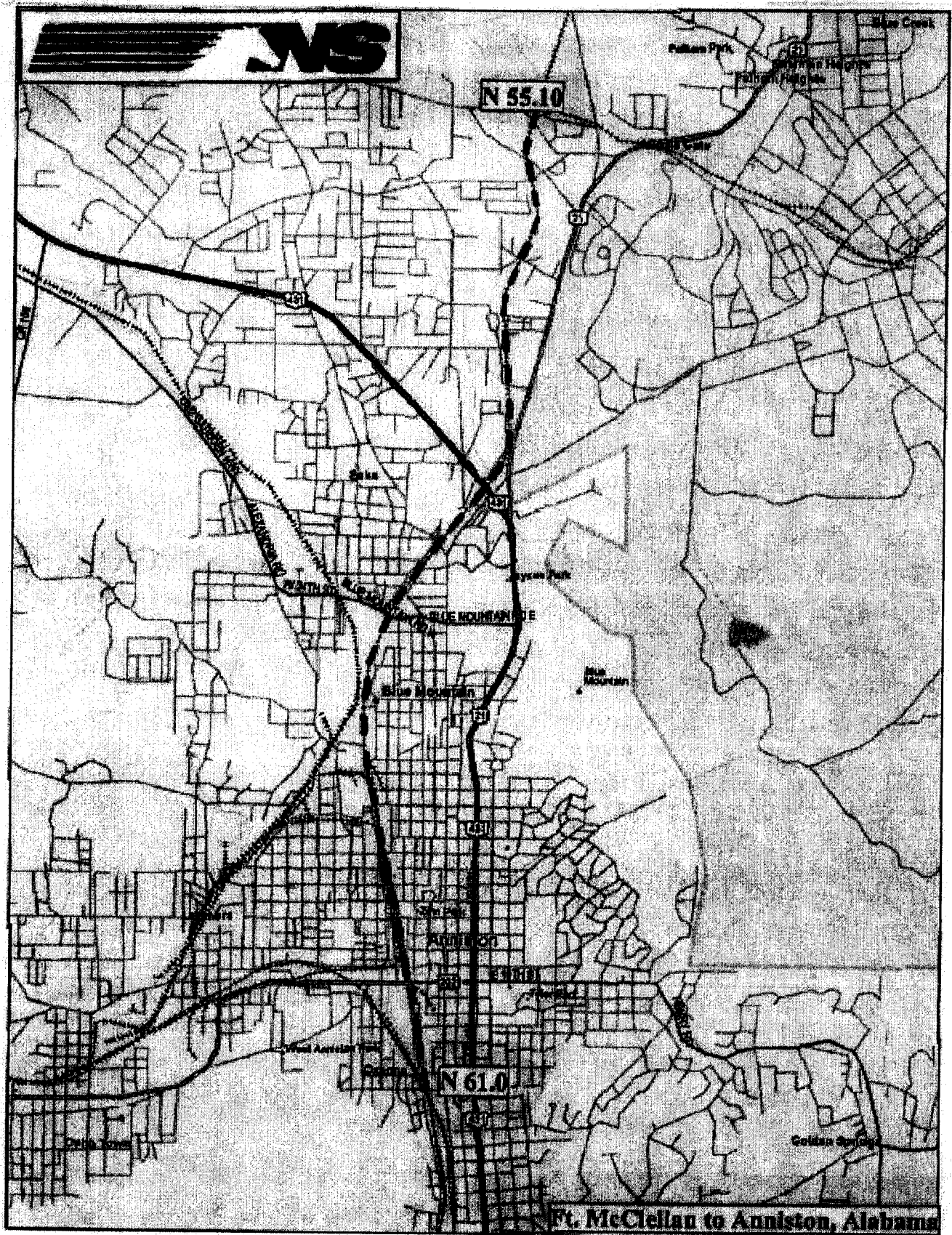
Inasmuch as there are no waterways associated with this rail segment, NSR does not believe that a permit under Section 402 of the Federal Water Pollution Control Act will be required.

10. PROPOSED MITIGATION

Abandonment of the involved rail line is not expected to produce adverse environmental impacts. Only minimal physical activity may occur, such as removal of rail, ties, and other railroad appurtenances as a result of the proposed action. Should conditions change resulting in a potential for adverse environmental impact, NSR will undertake all reasonable mitigation associated with these activities to assure the abandonment does not produce adverse environmental impacts.

APPENDIX A

Site Map



APPENDIX B

Agency Letter

RECIPIENT LIST

Proposed Rail Line Abandonment of the segment of rail line between Milepost MP 55.1 N and Milepost MP 61.0 N, a distance of 5.9 miles, between Fort McClellan and Anniston, Calhoun County, Alabama

Agency	Contact Name	Address
State Clearinghouse Alabama Highway Department	Colonel W. M. Coppage Director – Department of Public Safety	1409 Coliseum Boulevard Montgomery, Alabama 36130
State Environmental Protection Agency – Alabama Department of Environmental Management		1400 Coliseum Boulevard Montgomery, Alabama 36110
Calhoun County Environmental and Enforcement Office		Calhoun County Administration Building 1702 Noble Street , Suite 101 Anniston, Alabama 36201
City of Anniston	Mr. Hoyt W. Howell, Jr. Mayor	1128 Gurnee Avenue Anniston, Alabama 36201
City of Anniston	Mr. John Seymour City Manager	1128 Gurnee Avenue Anniston, Alabama 36201
U. S. Fish and Wildlife	Mr. Sam Hamilton Regional Director	Region 4 1875 Century Boulevard Atlanta, Georgia 30345
National Geodetic Survey	Mr. Richard Snay – Chairman At-Large Chief of Spatial Reference System Div.	1315 East/West Highway, Room 8813 Silver Spring, Maryland 20910
U. S. Army Corps of Engineers Mobile District	Dr. Susan Rees Planning Department	109 St. Josephs Street Mobile, AL 36602
USDA Natural Resources Conservation Service	Mr. Charles Love State Soil Scientist	P.O. Box 311 Auburn, Alabama 36830
U. S. Environmental Protection Agency	J. I. Palmer, Jr. Regional Administrator	Region 4 61 Forsyth Street, SW Sam Nunn Atlanta Federal Center Atlanta, Georgia 30303-3104
National Park Service	Mr. Steven Wright Environmental Protection Specialist	100 Alabama Street, SW 1924 Building – 6 th Floor Atlanta, Georgia 30303
<i>Courtesy Copies to:</i>		
Spirit of Anniston Program, Inc.	Mr. Scott S. Barksdale Executive Director	P. O. Box 37 Anniston, Alabama 36202
McClellan – Joint Powers Authority	Mr. Daniel W. Cleckler Executive Director	180 Headquarters Drive Building 61 P. O. Box 5327 Anniston, Alabama 36205
Calhoun County Commission	Mr. James Eli Henderson Chairman	1702 Noble Street, Suite 103 Anniston, Alabama 36201



Environmental Protection Department
110 Franklin Road, SE (Box 13)
Roanoke, Virginia 24042-0013

August 3, 2005

Dear Sir/Madam:

Norfolk Southern Railway Company (NSR) plans to request authority from the Surface Transportation Board (STB) to abandon the segment of rail line between Milepost MP 55.1 N and Milepost MP 61.0 N, a distance of 5.9 miles, between Fort McClellan and Anniston, Calhoun County, Alabama. A map of the proposed track abandonment can be found in Appendix A of this Environmental Report for Proposed Rail Line Abandonment.

NSR does not anticipate any adverse environmental impacts; however, if you identify any adverse environmental impacts please describe any actions that would assist in alleviating such impacts. Additionally, you may provide us with a written response that can be included in the Environmental Report, which will be sent to the STB. Appendix D of this environmental report lists the various agencies receiving this report and the type of information NSR anticipates receiving from those agencies.

This report is also being provided so that you may submit information that will form the basis for the STB's independent environmental analysis of the proceeding. If you believe any of the information is incorrect, if you think pertinent information is missing, or if you have any questions about the Board's Environmental Review process, please contact the Section of Environmental Analysis (SEA), Room 3219, Surface Transportation Board, 1925 K Street, N.W., Washington DC 20423-001, Telephone (202) 565-1552 and refer to the above Docket. Because applicable statutes and regulations impose stringent deadlines for processing this action, your written comments (with a copy to us) would be appreciated within three weeks.

Your comments will be considered by the Board in evaluating the environmental impacts of the contemplated action. In order for us to consider your input prior to filing our application with the STB, NSR must receive your comments within three weeks. Please either provide a copy of your comments by mail at the address below or provide information by telephone to Mr. Larry Western at (540) 981-4239.

Norfolk Southern Railway Company
Attn: Mr. Larry G. Western
Environmental Protection Department
110 Franklin Road, SE (Box 13)
Roanoke, VA 24042-0013

Yours truly,

K .R. Miller
Director Environmental Engineering and Audits
Norfolk Southern Railway Company

Cy: L. G. Western
J. R. Paschall
J. M. Lipps

RECIPIENT LIST

Proposed Rail Line Abandonment of the segment of rail line between Milepost MP 55.1 N and Milepost MP 61.0 N, a distance of 5.9 miles, between Fort McClellan and Anniston, Calhoun County, Alabama

Agency	Contact Name	Address
State Clearinghouse Alabama Highway Department	Colonel W. M. Coppage Director - Department of Public Safety	1409 Coliseum Boulevard Montgomery, Alabama 36130
State Environmental Protection Agency - Alabama Department of Environmental Management		1400 Coliseum Boulevard Montgomery, Alabama 36110
Calhoun County Environmental and Enforcement Office		Calhoun County Administration Building 1702 Noble Street, Suite 101 Anniston, Alabama 36201
City of Anniston	Mr. Hoyt W. Howell, Jr. Mayor	1128 Gurnee Avenue Anniston, Alabama 36201
City of Anniston	Mr. John Seymour City Manager	1128 Gurnee Avenue Anniston, Alabama 36201
U. S. Fish and Wildlife	Mr. Sam Hamilton Regional Director	Region 4 1875 Century Boulevard Atlanta, Georgia 30345
National Geodetic Survey	Mr. Richard Snay - Chairman At-Large Chief of Spatial Reference System Div.	1315 East/West Highway, Room 8813 Silver Spring, Maryland 20910
U. S. Army Corps of Engineers Mobile District	Dr. Susan Rees Planning Department	109 St. Josephs Street Mobile, AL 36602
USDA Natural Resources Conservation Service	Mr. Charles Love State Soil Scientist	P.O. Box 311 Auburn, Alabama 36830
U. S. Environmental Protection Agency	J. I. Palmer, Jr. Regional Administrator	Region 4 61 Forsyth Street, SW Sam Nunn Atlanta Federal Center Atlanta, Georgia 30303-3104
National Park Service	Mr. Steven Wright Environmental Protection Specialist	100 Alabama Street, SW 1924 Building - 6 th Floor Atlanta, Georgia 30303
<i>Courtesy Copies to:</i>		
Spirit of Anniston Program, Inc.	Mr. Scott S. Barksdale Executive Director	P. O. Box 37 Anniston, Alabama 36202
McClellan - Joint Powers Authority	Mr. Daniel W. Cleckler Executive Director	180 Headquarters Drive Building 61 P. O. Box 5327 Anniston, Alabama 36205
Calhoun County Commission	Mr. James Eli Henderson Chairman	1702 Noble Street, Suite 103 Anniston, Alabama 36201



Strategic Planning
Three Commercial Place
Norfolk, Virginia 23510

October 27, 2005

Re: Revision to the August 03, 2005 - Environmental Report on Proposed Rail Line Abandonment by Norfolk Southern Railway Company – Rail Line Segment located from Fort McClellan to Anniston, Calhoun County, Alabama (between Milepost 55.1 N and Milepost 61.0 N)

Dear Sir/Madam:

On August 3, 2005, Norfolk Southern Railway Company (NSR) sent you a copy of the Environmental Report on the Proposed Rail Line Abandonment for the segment of rail between Milepost 55.1 N and Milepost 61.0 N from Fort McClellan to Anniston, Calhoun County, Alabama.

The report stated that NSR proposed to abandon the rail line segment between Milepost 55.1 N and Milepost 61.0 N. The abandonment filing will now include the rail segment between Milepost 55.1 N and Milepost 61.1 N, an addition of one-tenth of a mile, extending the abandonment limits to the East End main track turnout located at Milepost 61.1 N. This additional one-tenth of a mile will take in the entire remaining portion of the N-Line north of the East End District main track at Anniston. This is merely an administrative change as a site visit was conducted for the entire length of this rail segment from Milepost 55.1 N to Milepost 61.1 N and no potential environmental concerns were observed.

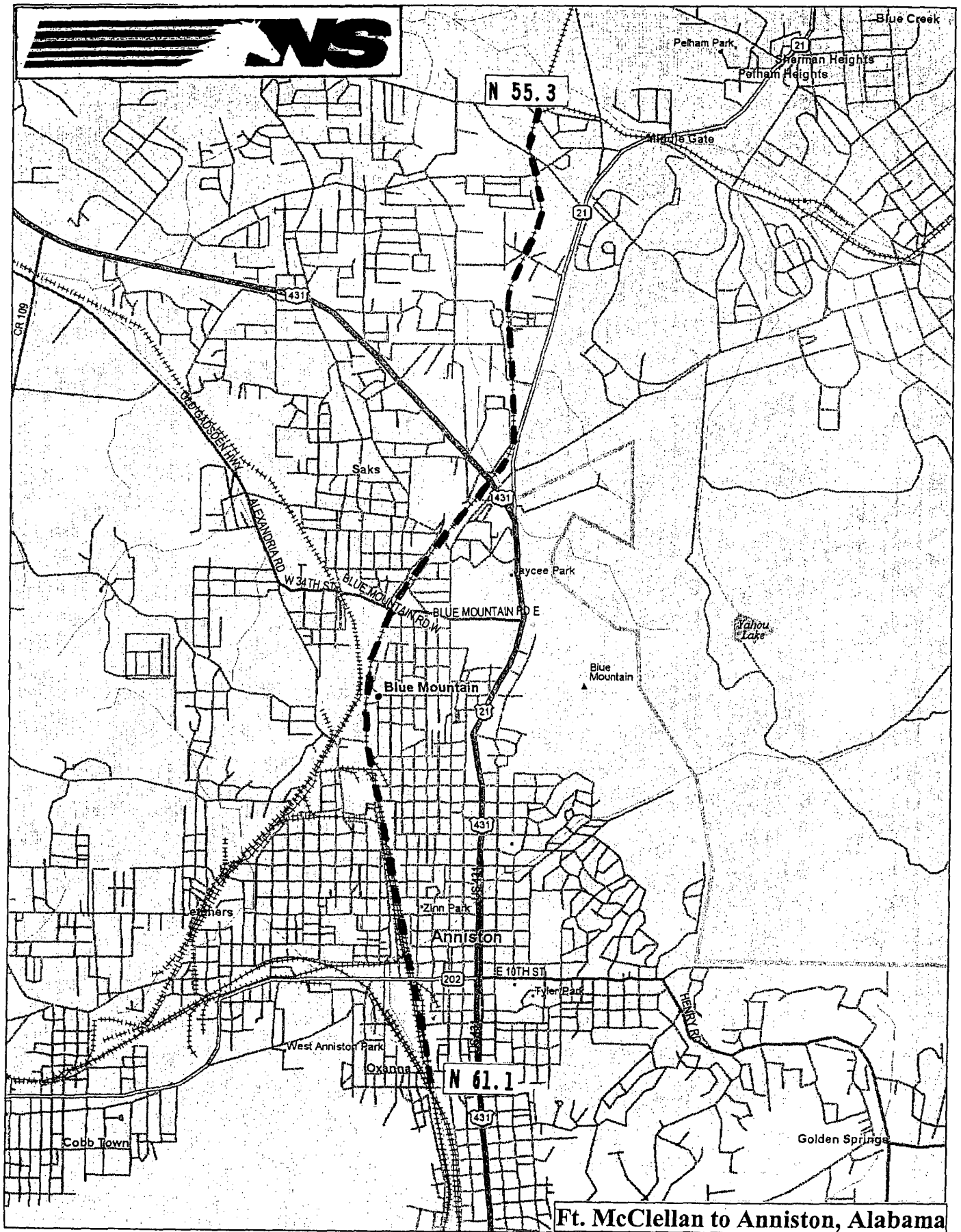
This letter is to serve as a notification to all who received an original copy of the Environmental Report of the amended milepost endpoint for the Proposed Rail Line Abandonment from Fort McClellan to Anniston, Calhoun County, Alabama. The revised copy of the report, which will be sent to the Surface Transportation Board, will reflect this new milepost endpoint as described above. A copy of this letter will be kept in the comment section of the report as a record that you were notified of the change.

Should you have any questions or comments please direct them to Mr. Larry Western at (540) 981-4239 or Ms. Jani Marie Lipps at (757) 629-2677.

Sincerely,

K. R. Miller
Director Environmental Operations

Cy: J. R. Paschall
L. G. Western
E. J. Hauber
M. C. Kirchner
J. M. Lipps



Ft. McClellan to Anniston, Alabama

Appendix C

Agency Responses



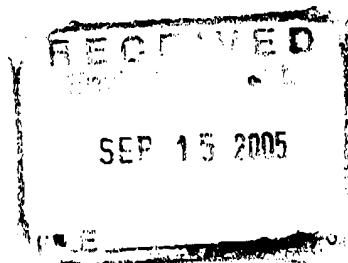
United States Department of the Interior

FISH AND WILDLIFE SERVICE

1208-B Main Street
Daphne, Alabama 36526

IN REPLY REFER TO:
05-1177

September 9, 2005



Mr. Larry G. Western
Environmental Protection Department
Norfolk Southern Railway Company
110 Franklin Road, SE (Box 13)
Roanoke, VA 24042-0013

Dear Mr. Western:

Thank you for your letter of August 3, 2005, requesting comments on the proposed rail line abandonment from Fort McClellan to Anniston, Coosa River watershed, Calhoun County, Alabama. We have reviewed the information and are providing the following comments in accordance with the Fish and Wildlife Coordination Act (48 Stat. 401, as amended; 16 U.S.C. et seq.) and the Endangered Species Act of 1973 (87 Stat. 884, as amended; 16 U.S.C. 1531 et seq.).

The endangered gray bat (*Myotis grisescens*) is known to occur near the northern portion of the project area and along Choccolocco Creek. The threatened blue shiner (*Notropis caerulea*) is also known to occur in Choccolocco Creek. The southern portion of the project area is located on highly contaminated soils near Snow Creek, adjacent to Choccolocco Creek. Rail line abandonment activities may cause contaminated soil to enter Snow and Choccolocco Creeks, with likely adverse effects on the gray bat and blue shiner. Before we can complete evaluation of impacts from this project, we need additional information on what materials will be removed, what equipment and methods will be used to remove the materials, any grading or other activity, and results of any contaminants analyses (specifically PCBs, mercury, and lead) in surface soils.

If you have any questions or need additional information, please contact Ms. Jodie Smithem at (251) 441-5842. Please refer to the reference number located at the top of this letter.

Sincerely,

Elaine Snyder-Conn
Acting Field Supervisor

www.fws.gov

PHONE: 251-441-5181

**TAKE PRIDE
IN AMERICA**

FAX: 251-441-6222



Norfolk Southern Corporation
Environmental Protection
110 Franklin Road, S.E.
Roanoke, Virginia 24042-0013

K. R. Miller
Environmental Protection

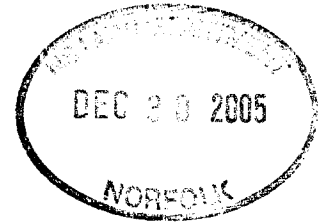
Writer's Direct Dial Number

(540) 981-3873

FAX: 540.981.4581

E-mail: Keith.Miller@nscorp.com

December 27, 2005



Ms. Elaine Snyder-Conn
Acting Field Supervisor
United States Department of the Interior
Fish and Wildlife Service
1298-B Main Street
Daphne, Alabama 36526

Subject: United States Department of Interior – Fish and Wild Life Service (USDOL/FWLS)
November 28, 2005 Letter Re: Norfolk Southern Railway Company's Proposed Rail Line
Abandonment – Fort McClellan to Anniston, AL - MP 55.3 N to MP 61.1 N

Dear Ms. Snyder-Conn:

This is in response to the your above referenced letter, received in this office on December 8, 2005, wherein, you requested additional information relative to potential environmental concerns so as to satisfy the USDOL/FWLS's review on behalf of the Surface Transportation Board (STB).

In accordance with Surface Transportation Board (STB) regulations at 49 CFR Part 1105 requiring railroads to allow agencies to comment on proposed projects of possible environmental concern and in an effort to ensure that all parties concerned are aware of the nature of this project, NSR contacts the appropriate agencies via distribution of letters soliciting comments and distribution of the draft Environmental Report to the STB for the proposed line abandonment. The transmittal letter report requests that any comments on the draft, or the project in general, be forwarded to NSR for inclusion in the final report to the STB. An NSR Engineering representative follows up with agencies to ensure that we conform to environmental guidelines if the agency expresses an unanticipated concern or has questions concerning the project. The STB requires that the railroad advise them of the contacts with the various agencies. Often, the STB will require the railroad to make a follow-up contact and secure a written response that the agency has no concerns, or that their concerns are satisfied, or that a permit is or is not required before it will give final approval to removal of the track, material or structures. Per your concerns, I contacted Richard Dietz of NSR's Engineering group located in Atlanta, GA, so as to supply you the following information relative to NSR's anticipated activities involved in the abandonment of the line.

With regard to your statements: . . .our concern for potential impacts to the gray bat (*Myotis grisescens*) and the blue shiner (*Notropis caerulea*). . .and. . . we need additional information on what materials will be removed (in cubic yards), what equipment and methods will be used to remove the materials, any grading or other activity and results of any contaminants analyses. . . as you described, USDOL/FWLS's main concern rests in the potential for soils entering Snow and Choccolocco creeks. The plan is to leave the ballast and bridges in place, virtually eliminating this potential impact. This line is scheduled to become part of the Chief Ladiga Trail; consequently, no bridges will be removed.

Ms. Elaine Snyder-Conn
Re: Proposed Abandonment
Ft. McClellan to Anniston, AL
December 22, 2005
Page 2 of 2

Therefore none of the grading of the embankments to the 2:1 slope that is required when bridge abutments are removed will be required at the Anniston rail segment. Since these items will not be disturbed, there are no anticipated effects of this abandonment on these species. Materials to be removed will be limited to the track, crossties and connecting appurtenances. The ballast will remain in place.

All steel material are either reclaimed by NS or sold as scrap to removal contractor. Crossties are removed, either to be reused or disposed of by contractor to licensed landfills accepting such material. Burning or burying of any railroad material on railroad property is expressly forbidden.

The equipment involved in a typical operation of track removal are as follows: a backhoe or small front end loader, a material handling truck, small on-track equipment (spike puller) and hand tools for dismantling the track.

Any grading work is minimal as the goal is to leave a level surface where the track was for trail purposes. This is accomplished by the use of a small dozer back-blading the track area. All existing drainage systems are to remain as is, if damage occurs to any system during the salvage operations, that system will be repaired to its original condition.

There is no record of analyses demonstrating areas of contamination along this rail segment.

We appreciate the opportunity to address your issues and hope our responses satisfy your concerns. NSRC is dedicated to conducting rail activities with minimum impact to the environment. If abandonment status is granted, our personnel will be diligent in assuring the removal of this inactive line is done with environmental preservation as our goal and in accordance with applicable regulations.

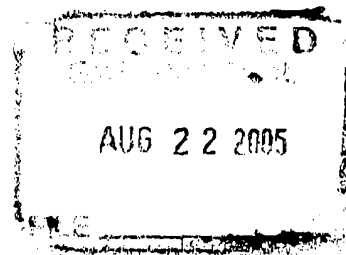
Should you have any questions or wish to discuss these items further, please contact Mr. Larry Western at (540) 981-4239.

Sincerely,



K. R. Miller
Director - Environmental

Cy: J. Smithem
U.S. DOI / Fish and Wildlife Service
L. G. Western
J. R. Paschall
M. C. Kirchner
J. M. Lipps
R. P. Dietz
S.M. Denson
Consultant--Marshall Miller & Associates
File

**CITY OF ANNISTON**P.O. BOX 2168
ANNISTON, ALABAMA 36202

August 19, 2005

Norfolk Southern Railway Company
Attn: Mr. Larry G. Western
Environmental Protection Dept.
110 Franklin Road, SE (Box 13)
Roanoke, VA 24042-0013

Re: Proposed abandonment of rail line between MP55.1 N
and MP61.0 N from Ft. McClellan to Anniston, Calhoun Co., AL

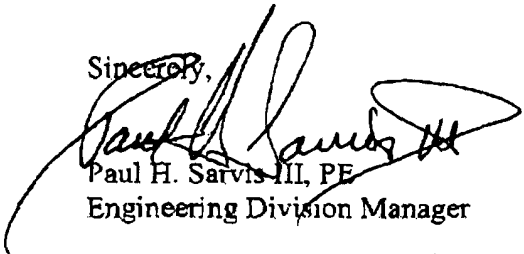
Dear Mr. Western:

The purpose of this letter is to respond to your request for comments concerning the referenced proposal to abandon approximately 5.9 miles of rail line in Anniston, Alabama.

The City of Anniston would like for the Norfolk Southern Railway Company (NSR) to consider modifying its request to include abandonment to mile post 61.04. This would allow for access from the abandoned rail line to the City's future Multi-modal Facility, now under construction. A sketch showing the property on which the Multi-modal facility is located and the location of MP 61.0 N is attached.

Your coordination with NSR for this requested modification is appreciated. If you have any questions, please call me or Mr. Ron Spencer at (256) 231-7750.

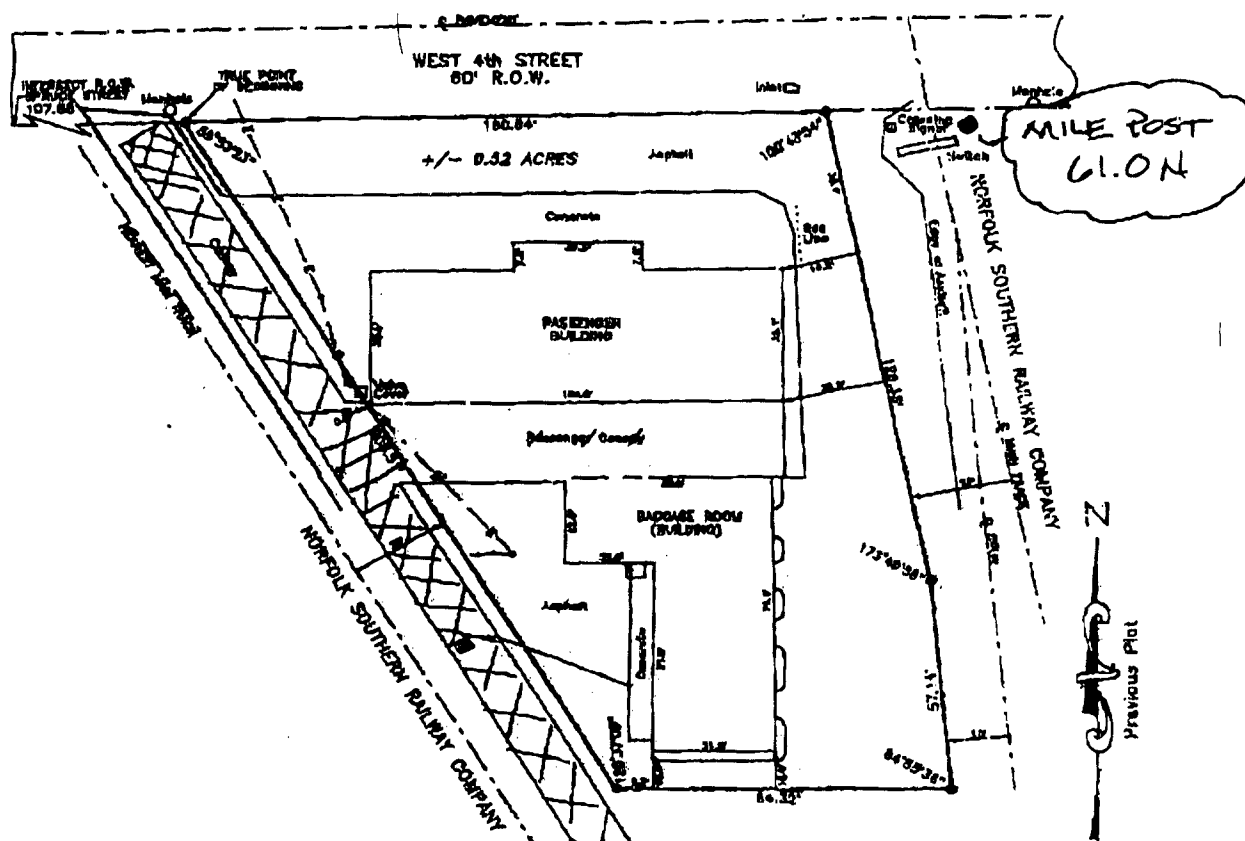
Sincerely,



Paul H. Sarvis III, PE
Engineering Division Manager

PHS:cfc

cc: Scott Barksdale, Spirit of Anniston
George Monk, City Manager
Dale Garrett, Public Works Director



State of Alabama:

To All Interested Parties:

Calhoun County:

I, M. S. Bailey, a registered land surveyor of Alabama, do hereby certify that the heretofore plat is a true and correct plat of a certain parcel of land located in the NW 1/4 of the NW 1/4 of Section 7, Township 18 South, Range 8 East, being more particularly described as follows: Beginning at the intersection of the Easterly Right of Way line of Spruce Street and the Southerly Right of Way line of West 4th Street; thence Easterly along said South ROW line of 4th Street 107.88 ft. to the true point of beginning of the hereafter described parcel; thence continue Easterly along said ROW line 180.84 ft.; thence Southeasterly with an interior angle of 100 degrees 43 min. 54 sec. to the left 126.38 ft.; thence Southerly with an interior angle of 173 degrees 49 min. 58 sec. to the left 87.14 ft.; thence Westerly with an interior angle of 84 degrees 51 min. 38 sec. to the left 84.32 ft.; thence Northwesterly with an interior angle of 120 degrees 37 min. 09 sec. to the left 200.81 ft. to the true point of beginning. Containing 0.52 acres, more or less; subject to any easement assigned to the utility crossing said parcel as shown on attached plat.

I further certify that there are no visible easements or encroachments on or across said property other than shown, that there are no joint driveways or encroachment of buildings by adjoining property owners other than shown, that there are buildings and associated improvements located within said boundary as shown on attached plat, that there are no electric or telephone wires, poles, anchors or supports on or across said property (excepting those that serve premises only or as shown).

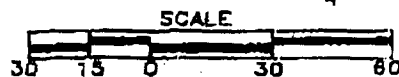
I hereby certify that all parts of this survey and drawing have been completed in accordance with the requirements of the Minimum Technical Standards for the Practice of Land Surveying in the State of Alabama to the best of my knowledge, information and belief.

According to my survey of June 7, 2001.

M. S. Bailey
M. S. Bailey, Reg. No. 12502
Bailey Engineering, Inc.
1205 Noble Street
Anniston, AL 36201

EXHIBIT "A"

37



SCALE 1 in = 30 ft.
JOB NUMBER 94-497(2001)rev2

REVISED

ITEMS IN PARENTHESES
ARE AS RECORDED

* NOT VALID UNLESS BEARING WITH BEARING
BOX OR PLAT WITH RED INK SEAL

LEGEND

○ IRON P.N. ST.
— ROW
— POWER LINE
— CENTERLINE

Closing Survey





Norfolk Southern Corporation
Three Commercial Place
Norfolk, Virginia 23510-2191

COPY

Marcellus C. Kirchner
Director Strategic Planning
(757) 629-2679
(757) 823-5807 FAX

October 28, 2005

Mr. Paul H. Sarvis, III, PE
Engineering Division Manager
City of Anniston
P. O. Box 2168
Anniston, Alabama 36202

Dear Mr. Sarvis:

This letter is in response to your August 19, 2005 letter to Mr. Larry G. Western concerning Norfolk Southern Railway Company's proposed abandonment of its rail line extending from Fort McClellan to Anniston, Calhoun County, Alabama (between Milepost 55.1 N and Milepost 61.0 N).

You requested extension of the end point of the abandonment from milepost 61.0 N to milepost 61.04 N. Following review of this request by Norfolk Southern's Engineering and Transportation departments, we have decided to extend the end point of the proposed abandonment from milepost 61.0 N to milepost 61.1 N. This additional one-tenth of a mile will take in the entire remaining portion of the N-Line north of the East End District main track at Anniston.

Surface Transportation Board (STB) regulations require us to notify all parties who previously received the draft Environmental Report of any increase in the extent of the proposed abandonment. Attached is a copy of the letter amendment to the Report stipulating the change in the abandonment limits which has been distributed to recipients of the August 3, 2005 draft Environmental Report. STB regulations further require that all recipients of the amendment letter be given an additional thirty days to respond with any comments before we can proceed with an abandonment filing.

Norfolk Southern's abandonment filing will contain a revised Environmental Report reflecting the one-tenth of a mile extension. Additionally, a copy of this letter and a copy of the amendment letter will be included in the comment section of the Report as a record that you and the other recipients were notified of the change.

Should you have any questions or comments, please direct them to Mr. Western at (540) 981-4239 or Ms. Jani Marie Lipps at (757) 629-2677.

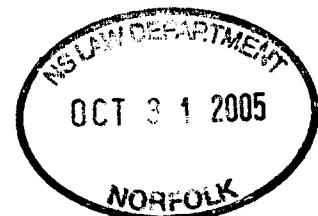
Very truly yours,

Marcellus C. Kirchner

Attachment

Cy: Mr. Scott Barksdale, Spirit of Anniston
Mr. George Monk, Anniston City Manager
Mr. Dale Garrett, Anniston Public Works Director
Mr. James R. Paschall
Mr. Larry G. Western
Mr. Edward J. Hauber
Ms. Jani Marie Lipps

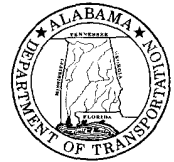
38





ALABAMA DEPARTMENT OF TRANSPORTATION

1409 Coliseum Boulevard, Montgomery, Alabama 36110

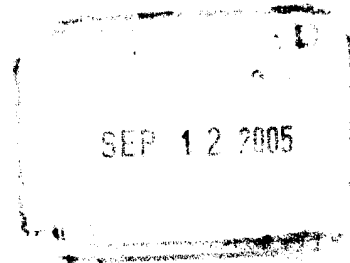


Bob Riley
Governor

September 9, 2005

Joe McInnes
Transportation Director

Mr. Larry G. Western
Norfolk Southern Railway Company
Environmental Protection Department
110 Franklin Road, SE (Box 13)
Roanoke, VA 24042-0013



Re: Abandonment in Calhoun County

Dear Mr. Western:

The Alabama Department of Transportation received your letter concerning your railroad line between railroad mileposts 55.1 N and 61.0 N between Ft. McClellan and Anniston, Calhoun County. We have no objection to the proposed abandonment and are not aware of any potential environmental effects related to this action.

If further information is needed, please contact Jenny Williams of my staff at (334) 353-6435.

Yours very truly,

Wesley E. Elrod for R.J.J.

Robert J. Jilla
Multimodal Transportation Engineer

RJJ/CT/JW/as

c: File



McClellan

A great place to live, work, learn & play.

January 25, 2005

Ms. Janice M. Lipps, Manager
Norfolk Southern Strategic Planning
3 Commercial Place
Norfolk, Virginia 23510

RE: Norfolk Southern Abandonment, Anniston, Alabama
'N' Line, MP-55 to Norfolk Southern Depot at 4th Street
In Anniston – 6.2 miles

Dear Ms. Lipps:

The Joint Powers Authority is submitting this letter in support of Norfolk Southern's abandonment of the 'N' Line, which runs between MP-55N to the 4th Street NS station in Anniston. While we are disappointed that our economic climate no longer supports rail services along this corridor, we are excited regarding the potential to extend our rails-to-trails conversion project, the Chief Ladiga Trail, into downtown Anniston.

The Chief Ladiga Trail rails-to-trails conversion project has been heartily embraced by our local communities and municipalities. It has drawn visitors from around Alabama and the southeast US and has become an important family oriented recreation and non-motorized transportation amenity for Calhoun County.

Accordingly, the JPA supports the transfer of the title for this corridor to the City of Anniston for its eventual conversion. With your assistance, we envision a timely abandonment and transfer of this property, so that we can extend our rails-to-trails project into downtown Anniston.

Sincerely,

Daniel W. Cleckler
Executive Director
Joint Powers Authority

DWC / lm



CALHOUN COUNTY COMMISSION

1702 NOBLE STREET, SUITE 103
ANNISTON, ALABAMA 36201
TELEPHONE (256) 241-2800
FAX (256) 231-1744

COMMISSIONERS

JAMES A. DUNN

District 1

ROBERT W. DOWNING

District 2

JAMES ELI HENDERSON

District 3

J.D. HESS

District 4

RUDY ABBOTT

District 5

KENNETH L. JOINER
Administrator/Treasurer

THOMAS M. SOWA
County Attorney

January 13, 2005

Ms. Janie M. Lipps, Manager
Norfolk Southern Strategic Planning
3 Commercial Place
Norfolk, Virginia 23510

RE: NS Abandonment, Anniston, Calhoun County, Alabama
'N' Line, MP 55N to NS Depot at 4th Street in Anniston, ± 6.2 miles


Dear Ms. Lipps:

The Calhoun County Commission is submitting this letter in support of Norfolk Southern's abandonment of the 'N' line, which runs between MP 55N to the 4th Street NS station in Anniston. While we are disappointed that our economic climate no longer supports rail services along this corridor, we are excited regarding the potential to extend our rails-to-trails conversion project, the Chief Ladiga Trail, into downtown Anniston.

The Chief Ladiga Trail rails-to-trails conversion project has been heartily embraced by our local communities and municipalities. It has drawn visitors from around Alabama and the southeast US and has become an important family oriented recreation and non-motorized transportation amenity for Calhoun County.

Accordingly, the Commission supports the transfer of title for this corridor to the City of Anniston for its eventual conversion. With your assistance, we envision a timely abandonment and transfer of this property, so that we can extend our rails-to-trails project into downtown Anniston.

Sincerely,


James Eli Henderson
Chairman

JEH:jh

cc: John Baker, VP
NS Corporation
Montgomery, AL



MEMO

Jani
To: ~~Lance~~ Lipps, Strategic Planning, Norfolk Southern Railroad
From: Scott S. Barksdale, Executive Director, Spirit of Anniston *Scott*
Date: May 19, 2005
Subject: Resolution Number 05-R-10

I apologize for the delay in getting a copy of this resolution to you. I had the understanding that the City was going to get a copy to you and have since discovered that they have not done so. Enclosed is a copy of the resolution.

Please note that the last portion of the resolution is a formal request for the City of Anniston to acquire the abandoned railway line with the plans to extend the Chief Ladiga Trail from the existing head trail or starting point to the renovated 4th Street Norfolk Southern Depot that is presently being converted to a multi-modal.

P.O. Drawer 37

Anniston, AL 36202

(256) 236-0996

RESOLUTION NO. 05-R- 10

**A RESOLUTION SUPPORTING THE ABANDONMENT OF THE 'N' LINE-MP-55N
TO NORFOLK SOUTHERN 4TH STREET DEPOT AND REQUEST FOR TRANSFER
OF TITLE TO THE CITY OF ANNISTON**

WHEREAS, Norfolk Southern Railroad Corporation has the authority to abandon any right of way it owns due to non-use or under-use; and

WHEREAS, Norfolk Southern Railroad Corporation has indicated its intention to abandon the right of way between Mile Post 55 North, south of the Norfolk Southern Depot; and

WHEREAS, the City of Anniston has acquired the Norfolk Southern 4th Street Depot and begun conversion to a multi-modal transportation facility; and

WHEREAS, the proposed right of way to be abandoned can be connected to the existing Chief Ladiga Rails to Trails project and used to enhance development in the 15th Street Business District as well as other areas; and

WHEREAS, said connection would bring the Chief Ladiga Rails to Trails project to the multi-modal facility, making it the premier Rails to Trails and multi-modal facility in the South.

NOW, THEREFORE, BE IT RESOLVED BY THE Anniston City Council as follows:

1. That the City of Anniston supports Norfolk Southern's efforts for abandonment of the right of way MP-55N to Norfolk Southern 4th Street Depot in Anniston, Alabama; and
2. That the City of Anniston does hereby formally request Transfer of Title of said Right of Way to the City of Anniston upon completion of the abandonment process.

PASSED AND ADOPTED on this the 22nd day of February, 2005.

**CITY COUNCIL OF THE CITY OF
ANNISTON, ALABAMA**

BY: Woyce Howell
Hoyt W. Howell, Jr., Mayor

BY: Floyd S. Bennett
Floyd S. Bennett, Jr., Council Member

BY: Herbert N. Palmore
Herbert N. Palmore, Council Member

BY: Benjamin L. Little
Benjamin L. Little, Council Member

BY: Jeff Fink
Jeff Fink, Council Member

43

ATTEST:

Appendix D

Certification of Environmental Report Recipients

RECIPIENT LIST

Proposed Rail Line Abandonment of the segment of rail line between MP 55.1 N and MP 61.0 N, a distance of 5.9 miles, between Fort McClellan and Anniston, Calhoun County, Alabama

Agency	Contact Name	Address
State Clearinghouse Alabama Highway Department	Colonel W. M. Coppage Director – Department of Public Safety	1409 Coliseum Boulevard Montgomery, Alabama 36130
State Environmental Protection Agency – Alabama Department of Environmental Management		1400 Coliseum Boulevard Montgomery, Alabama 36110
City of Anniston	Mr. Hoyt W. Howell, Jr. Mayor	1128 Gurnee Avenue Anniston, Alabama 36201
City of Anniston	Mr. John Seymour City Manager	1128 Gurnee Avenue Anniston, Alabama 36201
U. S. Fish and Wildlife	Mr. Sam Hamilton Regional Director	Region 4 1875 Century Boulevard Atlanta, Georgia 30345
National Geodetic Survey	Mr. Richard Snay – Chairman At-Large Chief of Spatial Reference System Div.	1315 East/West Highway, Room 8813 Silver Spring, Maryland 20910
U. S. Army Corps of Engineers Mobile District	Dr. Susan Rees Planning Department	109 St. Josephs Street Mobile, Alabama 36602
USDA Natural Resources Conservation Service	Mr. Charles Love State Soil Scientist	P.O. Box 311 Auburn, Alabama 36830
U. S. Environmental Protection Agency	J. I. Palmer, Jr. Regional Administrator	Region 4 61 Forsyth Street, SW Sam Nunn Atlanta Federal Center Atlanta, Georgia 30303-3104
National Park Service	Mr. Steven Wright Environmental Protection Specialist	100 Alabama Street, SW 1924 Building – 6 th Floor Atlanta, Georgia 30303
Courtesy Copies to:		
Spirit of Anniston Program, Inc.	Mr. Scott S. Barksdale Executive Director	P. O. Box 37 Anniston, Alabama 36202
McClellan – Joint Powers Authority	Mr. Daniel W. Cleckler Executive Director	180 Headquarters Drive Building 61 P. O. Box 5327 Anniston, Alabama 36205
Calhoun County Commission	Mr. James Eli Henderson Chairman	1702 Noble Street, Suite 103 Anniston, Alabama 36201

This Environmental Report for Proposed Rail Line Discontinuance/Abandonment was sent to the above referenced agencies on

8/3/05
Date



K.R. Miller, Director Environmental Engineering and Audits

APPENDIX E

At-Grade Crossings

Public Crossings:

1	4th Street
2	10th Street
3	11th Street
4	14th Street
5	15th Street
6	16th Street
7	18th Street
8	21st Street
9	23rd Street
10	Blue Mountain Road
11	Whiteside Drive
12	Hillcrest Drive
13	Glade Road
14	Weaver Road

APPENDIX F
Federal and State Threatened and
Endangered Species Listings

Alabama
Threatened & Endangered Species --
89 Listings

Animals -- 71

Status	Listing
E	Acornshell, southern (<i>Epioblasma othcaloogensis</i>)
E	Bat, gray (<i>Myotis grisescens</i>)
E	Bat, Indiana (<i>Myotis sodalis</i>)
E	Blossom, turgid (pearlymussel) Entire (<i>Epioblasma turgidula</i>) ¹
E	Blossom, yellow (pearlymussel) Entire Range; (<i>Epioblasma florentina florentina</i>) ¹
E	Campeloma, slender (<i>Campeloma decampi</i>)
E	Catspaw (purple cat's paw pearlymussel) Entire Range; (<i>Epioblasma obliquata obliquata</i>) ¹
E	Cavefish, Alabama (<i>Speoplatyrhinus poulsoni</i>)
T	Chub, spotfin Entire (<i>Cyprinella monacha</i>)
E	Clubshell, ovate (<i>Pleurobema perovatum</i>)
E	Clubshell, southern (<i>Pleurobema decisum</i>)
E	Combshell, Cumberlandian Entire Range; (<i>Epioblasma brevidens</i>) ¹
E	Combshell, southern (<i>Epioblasma penita</i>)
E	Combshell, upland (<i>Epioblasma metastriata</i>)
T	Darter, goldline (<i>Percina aurolineata</i>)
T	Darter, slackwater (<i>Etheostoma boschungii</i>)
T	Darter, snail (<i>Percina tanasi</i>)
E	Darter, vermilion (<i>Etheostoma chermocki</i>)
E	Darter, watercress (<i>Etheostoma nuchale</i>)
T	Eagle, bald (lower 48 States) (<i>Haliaeetus leucocephalus</i>)
T	Elimia, lacy (snail) (<i>Elimia crenatella</i>)
E	Fanshell (<i>Cyprogenia stegaria</i>)
T	Heelsplitter, Alabama (=inflated) (<i>Potamilus inflatus</i>)
E	Kidneyshell, triangular (<i>Ptychobranhus greeni</i>)
E	Lampmussel, Alabama Entire Range; (<i>Lampsilis virescens</i>) ¹
E	Lilliput, pale (pearlymussel) (<i>Toxolasma cylindrellus</i>)
E	Lioplax, cylindrical (snail) (<i>Lioplax cyclostomaformis</i>)
T	Moccasinshell, Alabama (<i>Medionidus acutissimus</i>)
E	Monkeyface, Cumberland (pearlymussel) (<i>Quadrula intermedia</i>) ¹
E	Mouse, Alabama beach (<i>Peromyscus polionotus ammobates</i>)
E	Mouse, Perdido Key beach (<i>Peromyscus polionotus trissyllepsis</i>)
T	Mucket, orangenacre (<i>Lampsilis perovalis</i>)
E	Mucket, pink (pearlymussel) (<i>Lampsilis abrupta</i>)
E	Mussel, oyster Entire Range; (<i>Epioblasma capsaeformis</i>)
E	Pearlymussel, cracking Entire Range; (<i>Hemistena lata</i>) ¹
E	Pebblesnail, flat (<i>Lepyrium showalteri</i>)
E	Pigtoe, dark (<i>Pleurobema furvum</i>)
E	Pigtoe, finereyed Entire Range; (<i>Fusconaia cuneolus</i>) ¹
E	Pigtoe, flat (<i>Pleurobema marshalli</i>)

Alabama
Threatened & Endangered Species --
89 listings (continued)

Animals – 71 Listings (continued)

Status	Listing
E	Pigtoe, heavy (<i>Pleurobema taitianum</i>)
E	Pigtoe, rough (<i>Pleurobema plenum</i>)
E	Pigtoe, shiny Entire Range; (<i>Fusconaia cor</i>) ¹
E	Pigtoe, southern (<i>Pleurobema georgianum</i>)
E	Pimpleback, orangefoot (pearlymussel) (<i>Plethobasus cooperianus</i>)
T	Plover, piping (except Great Lakes watershed) (<i>Charadrius melodus</i>)
T	Pocketbook, finelined (<i>Lampsilis altilis</i>)
E	Pocketbook, shinyrayed (<i>Lampsilis subangulata</i>)
E	Ring pink (mussel) (<i>Obovaria retusa</i>)
E	Riversnail, Anthony's Entire Range; (<i>Athearnia anthonyi</i>) ¹
T	Rocksnail, painted (<i>Leptoxis taeniata</i>)
E	Rocksnail, plicate (<i>Leptoxis plicata</i>)
T	Rocksnail, round (<i>Leptoxis ampla</i>)
T	Salamander, Red Hills (<i>Phaeognathus hubrichti</i>)
T	Sculpin, pygmy (<i>Cottus paulus</i> (=pygmaeus))
T	Sea turtle, green (except where endangered) (<i>Chelonia mydas</i>)
E	Sea turtle, hawksbill (<i>Eretmochelys imbricata</i>)
E	Sea turtle, Kemp's ridley (<i>Lepidochelys kempii</i>)
E	Sea turtle, leatherback (<i>Dermochelys coriacea</i>)
T	Sea turtle, loggerhead (<i>Caretta caretta</i>)
T	Shiner, blue (<i>Cyprinella caerulea</i>)
E	Shiner, Cahaba (<i>Notropis cahabae</i>)
E	Shiner, palezone (<i>Notropis albizonatus</i>)
E	Shrimp, Alabama cave (<i>Palaemonias alabamae</i>)
T	Slabshell, Chipola (<i>Elliptio chipolaensis</i>)
E	Snail, armored (<i>Pyrgulopsis</i> (=Marstonia) <i>pachyta</i>)
E	Snail, tulotoma (<i>Tulotoma magnifica</i>)
T	Snake, eastern indigo (<i>Drymarchon corais couperi</i>)
E	Stirrupshell (<i>Quadrula stapes</i>)
E	Stork, wood (AL, FL, GA, SC) (<i>Mycteria americana</i>)
E	Sturgeon, Alabama (<i>Scaphirhynchus suttkusi</i>)
T	Sturgeon, gulf (<i>Acipenser oxyrinchus desotoi</i>)
T	Tortoise, gopher (W of of Mobile/Tombigbee Rs.) (<i>Gopherus polyphemus</i>)
E	Turtle, Alabama red-belly (<i>Pseudemys alabamensis</i>)
T	Turtle, flattened musk (species range clarified) (<i>Sternotherus depressus</i>)
E	Wartyback, white (pearlymussel) (<i>Plethobasus cicatricosus</i>)
E	Whale, finback (<i>Balaenoptera physalus</i>)
E	Whale, humpback (<i>Megaptera novaeangliae</i>)
E	Woodpecker, red-cockaded (<i>Picoides borealis</i>)

Alabama Threatened & Endangered Species -- 89 listings (continued)	
Plants – 18 Listings	
<u>Status</u>	<u>Listing</u>
T	Amphianthus, little (<i>Amphianthus pusillus</i>)
T	Potato-bean, Price's (<i>Apios priceana</i>)
T	Fern, American hart's-tongue (<i>Asplenium scolopendrium</i> var. <i>americanum</i>)
E	Leather flower, Morefield's (<i>Clematis morefieldii</i>)
E	Leather flower, Alabama (<i>Clematis socialis</i>)
E	Prairie-clover, leafy (<i>Dalea foliosa</i>)
T	Sunflower, Eggert's (<i>Helianthus eggertii</i>)
T	Bladderpod, lyrate (<i>Lesquerella lyrata</i>)
T	Button, Mohr's Barbara (<i>Marshallia mohrii</i>)
E	Harperella (<i>Ptilimnium nodosum</i>)
T	Water-plantain, Kral's (<i>Sagittaria secundifolia</i>)
E	Pitcher-plant, green (<i>Sarracenia oreophila</i>)
E	Pitcher-plant, Alabama canebrake (<i>Sarracenia rubra alabamensis</i>)
E	Chaffseed, American (<i>Schwalbea americana</i>)
E	Pinkroot, gentian (<i>Spigelia gentianoides</i>)
T	Fern, Alabama streak-sorus (<i>Thelypteris pilosa</i> var. <i>alabamensis</i>)
E	Trillium, relict (<i>Trillium reliquum</i>)
E	Grass, Tennessee yellow-eyed (<i>Xyris tennesseensis</i>)

Federal Status

Federally listed species are protected by the Endangered Species Act of 1973 (as amended). The list is administered and determined by the US Fish and Wildlife Service.

E

Listed Endangered, the taxon is threatened by extinction throughout all or a significant portion of its range.

T

Listed Threatened, the taxon is likely to become an endangered species in the foreseeable future.

¹ Except where listed as Experimental Populations

Historic Report

Proposed Rail Line Abandonment

Proposed Action and Alternatives

Norfolk Southern Corporation proposes to abandon 5.8 miles of rail line between milepost 55.3 N and 61.1 N from Fort McClellan to Anniston in Calhoun County, Alabama. At one time the N line extended from McDowell, Alabama to Atlanta Junction, Georgia; however, some segments have now been abandoned. The segments between Atlanta Junction, Georgia and Jacksonville, Alabama were abandoned over a span of 11 years from 1977 to 1988 in three separate abandonment filings [ICC Dockets No AB-26 (Sub-No. 9), ICC Docket No. AB-290 (Sub-No. 71X), ICC Docket No. AB-290 (Sub-No. 62)]. The line segment adjacent to 55.3 N - 61.1 N was abandoned in 1995 (48.0 N at Jacksonville, AL – 55.3 N near Fort McClellan, AL) pursuant to ICC Docket No. AB-290 (Sub-No. 171X), *Norfolk Southern Railway Company – Abandonment Exemption – In Calhoun County, AL (Between Jacksonville, AL and Fort McClellan, AL)*. In addition, another segment on the line between Lilita, AL and McDowell, AL was abandoned in 1949 in ICC Docket No 16428. A map delineating the line proposed for abandonment is attached as Appendix A.

The two alternatives to abandonment of the rail line are:

1. to not abandon; or
2. to discontinue service on the line and retain the trackage in place.

These alternatives are not satisfactory. Service over the rail line is not required to serve any active shippers. NSR would incur opportunity and other holding

costs that would need to be covered by other customers were the rail line to be retained without being used for active rail freight service. If the rail line is abandoned, the track and materials may be salvaged and put to more productive use. As a result of this abandonment several grade crossings can be eliminated, which will benefit local traffic and reduce both railroad and public crossing maintenance costs.

Additional Information

U.S.G.S Topographic Map

Maps were furnished to the Alabama Historical Commission.

Written Description of Right of Way

The width of the corridor is 100'; 50' on each side of the track centerline. About 50% of the area has been developed for industrial or residential purposes; whereas, the other 50% has been unimproved.

Photographs

Photographs were furnished to the Alabama Historical Commission.

Date of Construction of Structures

Construction dates are shown on the Bridges and Structures Listing attached to this report in Appendix B

History of Operations and Changes Contemplated

The origins of this rail line begin with the admission of the state of Alabama into the Union in 1819. Congress stipulated that a portion totaling 5% from the proceeds of the land sold by Congress in the territory would be given back to the state to create public transportation infrastructure within the territory and joining the territory to the rest of the Union. The proceeds were not actually dispersed by Congress until 1841 and at this time Congress stipulated that 2% of the funds must be used to connect the Bay of Mobile to the Tennessee River. The middle portion of this segment was 135 miles in length and ran from Selma, Alabama to Blue Mountain, Alabama; Blue Mountain residing on the segment proposed for abandonment. Originally, the Alabama and Tennessee River Railroad Company was incorporated to build the line from the Alabama River near the town of Selma in Dallas County to some point on the Tennessee and Coosa Railroad determined to be the city of Gadsden. In addition to the funding above known as 'The Two Percent Fund', the Alabama and Tennessee River Railroad Company also received land grants. In June of 1856, the Alabama and Tennessee Railroad Company was granted by Congress all property, lands, rights interests, and powers of The Coosa and Alabama Railroad from Selma to Gadsden in order to assist in the construction of the railroad between Selma and Gadsden. The portion from Selma, Alabama to Blue Mountain, Alabama was completed and in operation by May of 1862. In addition, grading had been done to Jacksonville, Alabama, but railroad construction was interrupted by the Civil War.

The military need of the Confederate Government compelled an Act to authorize the President of the Confederate States to make all contracts needed to provide military transportation by the construction of railroad between Blue Mountain, Alabama and Rome, Georgia. At this time the idea of the Northern terminus at Gadsden was abandoned. The confederate President persuaded the Alabama and Tennessee River Railroad Company to finish construction through Jacksonville, Alabama and the construct eastward to Rome, Georgia. However, very little work was done before the Civil War interrupted the project again.

After the war, the property of the Alabama and Tennessee Railroad Company from Selma to Blue Mountain was in need of repair and the line from Blue Mountain to Rome still needed to be built. On May 25, 1866 the Alabama and Tennessee Railroad Company contracted A. D. Breed of Cincinnati to complete all repairs and construction within forty months extending the railroad past Rome to Dalton, Georgia. To complete the Dalton extension a Georgia company was needed; therefore, the Georgia and Alabama and Dalton and Jacksonville Railroad Companies were acquired. The new company named the Selma, Rome and Dalton Railroad Company formed on August 8, 1866 from The Alabama and Tennessee River Railroad Company, the Dalton and Jacksonville Railroad Company and the Georgia and Alabama Railroad Company. The complete line from Selma, Alabama to Dalton, Georgia was 235 miles long and was totally complete in October of 1870.

In 1872 the Selma, Rome and Dalton Railroad Company became insolvent and the dissolution of the Selma, Rome and Dalton Railroad Company brought heated debate regarding identification of the primary lien holders of the property, stemming from bondholders of the original Alabama and Tennessee River and the bondholders of the consolidated Rome and Dalton Railroad Company. This caused the property in Georgia and Alabama to be reorganized separately with the receivers of the Alabama property appointed as Thomas A. Walker and later John Tucker who administered the property until 1881. The property in Georgia extending from the county of Polk at the state line to Dalton was sold on November 3, 1874 to Edward D. Cowan and was reorganized as the Georgia Southern Railroad Company. Then in November of 1880, the East Tennessee, Virginia and Georgia Railroad Company acquired the line segment in Georgia. At the time the East Tennessee, Virginia, and Georgia Railroad Company's southern terminus was at Dalton and the acquisition extended their reach to Etna, Georgia near the state line.

About the same time, the litigation over the land and property in Alabama was resolved and sold to Richard T. Wilson and he soon afterwards sold the property to the East Tennessee, Virginia and Georgia thus extending that railroad all the way to Selma, Alabama. The East Tennessee, Virginia, and Georgia Railroad Company operated the line from Selma, Alabama to Dalton, Georgia as

an integral part of their system for thirteen years until 1894 when it was vested with the Southern Railway Company.

Southern Railway Company was incorporated under the laws of the Commonwealth of Virginia on June 18, 1894. Southern Railway Company was successor to Richmond and West Point Terminal Railway and Warehouse Company (incorporated in 1880) and its subsidiaries, including principal subsidiaries Richmond and Danville Railroad Company (1847), the East Tennessee, Virginia and Georgia Railway Company (1887), Charlotte, Columbia and Augusta Railroad Company (1869), Virginia Midland Railway Company (1880), Columbia and Greenville Railroad Company (1880), Western North Carolina Railroad Company (1880) and Georgia Pacific Railway Company (1881). Except for leased lines of the Atlanta and Charlotte Air Line Railway Company (1877) and the North Carolina Railroad Company (1868), these railroads were declared insolvent and placed in receivers' hand in 1892. In 1894, these insolvent railroads were sold at foreclosure sales and deeded to the Southern Railway Company. Southern Railway Company also then leased the Atlanta and Charlotte Air Line Railway Company and North Carolina Railroad Company properties. Southern Railway Company acquired several other smaller companies in 1894. After its acquisitions and leases in 1894, Southern Railway Company operated 4,432 miles of railway line, 3,940 miles of which were owned and 492 miles of which were leased.

Norfolk and Western Railway Company was incorporated by special act of Virginia approved on January 15, 1896, and succeeded, under a plan of reorganization, to the properties of Norfolk and Western Railroad Company, the Lynchburg and Durham Railroad Company (that had been sold first to the Norfolk, Lynchburg and Durham Railroad Company) and the Roanoke and Southern Railway Company (that had been sold first to the Norfolk, Roanoke and Southern Railroad Company). The two companies in parenthesis were organized on the dates of purchase for the sole purpose of acquiring and transferring the property of the named companies to Norfolk and Western Railway Company.

Norfolk Southern Corporation, a non-carrier holding company, was incorporated in the Commonwealth of Virginia on July 23, 1980. Based on an Agreement of Merger and Reorganization, dated July 31, 1980, and eventual Interstate Commerce Commission approval, Norfolk Southern Corporation acquired control of Norfolk and Western Railway Company and Southern Railway Company and their subsidiaries.

On December 4, 1980, Norfolk Southern Corporation, Norfolk and Western Railway Company, and Southern Railway Company filed a joint application to the ICC in Finance Docket No. 29430 (Sub-No. 1), pursuant to which they sought authority under 49 U.S.C. 11343 for Norfolk Southern Corporation to acquire control through stock ownership of Norfolk and Western

Railway Company and its subsidiary carrier companies, and of Southern Railway Company and its consolidated system companies.

Under approval granted by the ICC in Finance Docket No. 29430 (Sub-No.1), *Norfolk Southern Corporation – Control – Norfolk and Western Railway Company and Southern Railway Company*, 366 I.C.C. 173 (1982), dated March 19, 1982, Norfolk Southern Corporation acquired control of Norfolk and Western Railway Company and Southern Railway Company on June 1, 1982.

Two books on the Norfolk and Western Railway Company and Southern Railway Company systems provide detailed information on the companies' history and development to the time of the Norfolk Southern consolidation. They are: E. F. Pat Striplin, *The Norfolk and Western: A History* (Roanoke, VA: The Norfolk and Western Railway Co., 1981) and Burke Davis, *The Southern Railway: Road of the Innovators* (Chapel Hill, NC: University of North Carolina Press, 1985).

Effective December 31, 1990, Southern Railway Company changed its name to Norfolk Southern Railway Company. Norfolk and Western Railway Company became a wholly-owned subsidiary of Norfolk Southern Railway Company rather than a subsidiary of Norfolk Southern Corporation.

Pursuant to a notice of exemption filed in STB Finance Docket No. 33648, *Norfolk Southern Railway Company – Merger Exemption – Norfolk and Western Railway Company*, served August 31, 1998, Norfolk Southern Railway Company merged Norfolk and Western Railway Company into NSR, effective September 1, 1998.

Norfolk Southern Corporation ("NSC"), parent to Norfolk Southern Railway Company ("NSR"), entered into a Transaction Agreement (the "Conrail Transaction Agreement") among NSC, NSR, CSX Corporation ("CSX"), CSX Transportation, Inc. ("CSXT"), a wholly-owned subsidiary of CSX; Conrail Inc. ("CRR"); Consolidated Rail Corporation ("Conrail"), a wholly-owned subsidiary of CRR, and CRR Holdings LLC, dated June 10, 1997, pursuant to which CSX and NSC indirectly acquired all the outstanding capital stock of CRR. The Conrail Transaction Agreement was approved by the Surface Transportation Board ("STB") in a decision served July 23, 1998 in STB Finance Docket No. 33388, *CSX Corporation and CSX Transportation, Inc., Norfolk Southern Corporation and Norfolk Southern Railway Company – Control and Operating Leases/Agreements – Conrail Inc. and Consolidated Rail Corporation*. The transaction was closed and became effective June 1, 1999.

Pursuant to the Conrail Transaction Agreement, certain Conrail assets were allocated to Pennsylvania Lines LLC ("PRR"), a wholly-owned subsidiary of Conrail. Furthermore, pursuant to the Conrail Transaction Agreement, PRR's

assets, in turn, were leased to and were operated by NSR under the terms of an allocated assets operating agreement between PRR and NSR (the "NSR Operating Agreement") with an original term of twenty-five (25) years from the effective date of June 1, 1999, and two optional renewal terms of five (5) years each. The Conrail Transaction Agreement permitted NSR to operate and to enter into various transactions with regard to the assets allocated to PRR.

On June 4, 2003, Norfolk Southern Corporation (NSC), CSX Corporation (CSX), and Consolidated Rail Corporation (Conrail) announced the joint filing of a petition with the STB for approval to establish direct ownership and control by CSX Transportation, Inc. (CSXT) and Norfolk Southern Railway Company (NSR), the railroad subsidiaries of CSX and NSC, respectively, of the two Conrail subsidiaries – New York Central Lines LLC (NYC) and Pennsylvania Lines LLC (PRR) that CSXT and NSR had been managing and operating, respectively, since June 1, 1999 under operating agreements approved by the STB in the 1998 decision. The STB approved the petition, subject to certain conditions, in a decision served on November 7, 2003. The transaction was concluded on August 27, 2004 by the merger of NYC and PRR into CSXT and NSR, respectively. The transaction's effect was to replace the PRR and NYC operating agreements and allow NSR and CSXT to operate the NYC and PRR lines via direct ownership.

The line proposed for abandonment is located in Calhoun County, Alabama. The county was created on December 18, 1832 from ceded Creek Indian Territory and was originally named Benton County in honor of Col. Thomas Hart Benton, a member of the United States Senate from Missouri. On January 29, 1858, the name was changed to Calhoun County in memory of South Carolina Sen. John C. Calhoun. The county seat was established at Jacksonville, Alabama in 1833, but it was moved to Anniston, Alabama in 1899.

Calhoun County is located in the northeastern section of the state, in the Appalachian Mountain chain. It encompasses 611 square miles. The Coosa River flows along the western boundary of the county. Several books have been written on the history of Calhoun County and are available in local libraries, including; Robert Mickey Stewart, *One hundred Twenty Years, 1832-1952: Chronological History of Benton/Calhoun County* (R. M. Stewart, 1999) and Mrs. Frank Ross Stewart's, *Alabama's Calhoun County* (Stewart University Press, 1976).

The change contemplated in the operation of the subject railroad line from Fort McClellan, Alabama to Anniston, Alabama is for Norfolk Southern Railway Company to abandon the subject unprofitable line of railroad, salvage the track and material and to the extent of its title to the real estate to deal with the right-of-way as ordinary real estate no longer subject to a common carrier obligation. There is no feasible alternative to the abandonment action because there is no

revenue or potential revenue from railroad traffic on the line or other income sufficient to cover the costs of ownership, maintenance and operation of the property.

Summary of Documents in Carrier's Possession that Might be Useful for Documenting a Structure that is Found to be Historic

While plans may be available for the structure on the line, it is most likely that any such plans are standard plans used for the construction of similar structures on the dates of construction.

Opinion Regarding Criteria for Listing in the National Register of Historic Places

NSR's opinion is that neither the structures on the line to be abandoned nor the line itself meets the criteria for listing in the National Register of Historic Places. The structures are small in nature and short in length, relatively modern and ordinary in design and construction. They bridge small ditches or drainage areas. The structures are not distinguished in any way. The line passes through commercial, residential and agricultural areas.

Subsurface Ground Conditions that Might Affect Archaeological Recovery

NSR is not aware of any prior subsurface ground disturbances or environmental conditions that would affect archaeological recovery. Moreover,

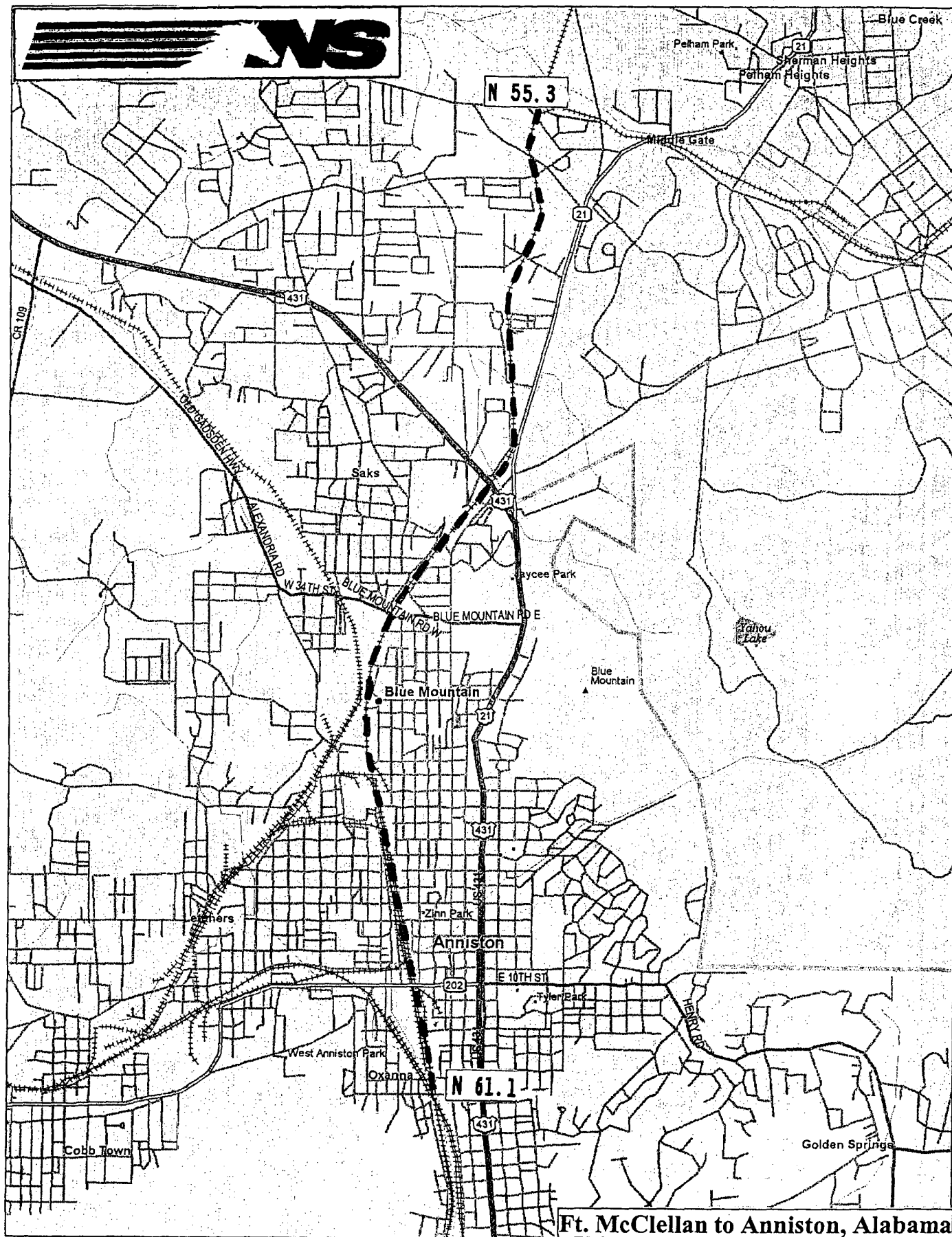
abandonment of the line and salvage of material from its surface will not affect any potential archaeological resources. The subsurface of the right-of-way was initially disturbed in the construction of the railroad line by grading and filling. Abandonment and salvage of the line will not result in activities below the surface, or below the level of initial disturbance.

Follow-Up Information

NSR will provide any relevant and available additional information as required or appropriate.

Appendix A

Maps



Ft. McClellan to Anniston, Alabama

Appendix B

Bridge List

NAME OF MILEPOST CROSSING	NO OF SPANS	DESCRIPTION STRUCTURE	DECK	LENGTH LENGTH	DATE BLT	MAX HT	ALIGN NO	NEAREST STATION	DOT ST NO	FILE NO	OLD BR NO	REMARKS
55.44-N CENTRAL PARKWAY	3	OH HWY-REIN CONC		199.98	1996	0.0	T	1 0 FT MCCELLAN	AL	117-24736		
55.58-N LEMLOCK LANE	5	OH HWY-REIN CONC		180.50	1961	0.0	T	1 0 FT MCCELLAN	AL	727250Y 117-13851		
56.80-N ROAD, WATERWAY	17	PILE TRESTLE	OPEN	224.91	1934	10.0	T	1 M BLUE MOUNTAIN	AL	727252M 117-10104		
57.40-N ROAD	4	STL BEAM	CONC BAL	191.44	1963	12.0	T	1 M BLUE MOUNTAIN	AL	727254B 117-13794		
57.80-N NOBLE STREET	3	OH HWY-REIN CONC		109.90		0.0	T	1 0 BLUE MOUNTAIN	AL	727255H 117-18972		
60.50-N WATERWAY	1	PILE TRESTLE	TIMBER BAL	13.50		8.0	T	2 G ANNISTON	AL	117-15016		
60.50-N WATERWAY	1	PILE TRESTLE	TIMBER BAL	13.50	1916	8.0	T	2 M ANNISTON	AL	117-15016		
60.64-N ST ROUTE 202 EB	4	OH HWY-REIN CONC		454.00	1985	0.0	T	5 0 ANNISTON	AL	117-16706		SAME STRUCTURE AS
60.64-N ST ROUTE 202 WB	4	OH HWY-REIN CONC		454.00	1985	0.0	T	5 0 ANNISTON	AL	117-16706		SAME STRUCTURE AS
60.80-N WATERWAY	3	PILE TRESTLE	TIMBER BAL	39.00		10.0	T	3 J ANNISTON	AL	117-11052		
60.80-N WATERWAY	3	PILE TRESTLE	OPEN	39.00		10.0	T	3 K ANNISTON	AL	117-11052		
60.80-N WATERWAY	3	PILE TRESTLE	TIMBER BAL	39.00	1916	10.0	T	3 M ANNISTON	AL	117-11052		
62.50-N WATERWAY	1	PILE TRESTLE	TIMBER BAL	13.46	1929	8.0	T	1 M ANNISTON	AL	117-9079		
62.90-N WATERWAY	1	R-CONC SLAB	CONC BAL	17.00	1929	10.0	T	1 M OXFORD	AL	117-9041		
64.20-N 1-20 WB	5	OH HWY-REIN CONC		271.50	1968	0.0	T	1 0 OXFORD	AL	727283L 117-14131		
64.20-N 1-20 EB	5	OH HWY-REIN CONC		271.50	1968	0.0	T	1 0 OXFORD	AL	727283L 117-14131		
65.70-N WATERWAY	2	PILE TRESTLE	TIMBER BAL	25.00	1918	12.0	T	1 M SOUTH ANNISTON	AL	117-2405		
82.40-N ST ROUTE 21	11	OH HWY-REIN CONC		411.07		0.0	T	1 0 TALLADEGA	AL	727313B 117-9375		
83.40-N WATERWAY	2	PILE TRESTLE	TIMBER BAL	27.16	1928	10.0	T	1 M TALLADEGA	AL	117-3438		
83.70-N WATERWAY	2	PILE TRESTLE	TIMBER BAL	26.76	1916	10.0	T	2 M TALLADEGA	AL	117-17124		
83.90-N SPRING STREET	7	OH HWY-TIMBER		112.70	1917	25.0	T	1 0 TALLADEGA	AL	727321T 117-2135		
84.20-N WATERWAY	4	1-8M TRESTLE	OPEN	49.48		12.0	T	1 M TALLADEGA	AL	117-2546		
85.40-N WATERWAY	1	R-CONC SLAB	CONC BAL	17.00	1925	10.0	T	1 M TALLADEGA	AL	117-16801		
85.45-N WESTERN BYPASS	1	OH HWY-STEEL		0.00		0.0	T	1 0 TALLADEGA	AL	117-17288		
86.70-N ST ROUTE 42	8	OH HWY-REIN CONC		266.00	1958	0.0	T	1 0 TALLADEGA	AL	727329X 117-13535		
87.80-N WATERWAY	2	STL BEAM	OPEN	29.66	1972	13.0	T	1 M TALLADEGA	AL	117-1135		
93.10-N TALLADEGA CREEK	2	DECK PL GDR	OPEN	162.00	1925	10.0	T	1 M ALPINE	AL	117-356		

Appendix C

Photographs

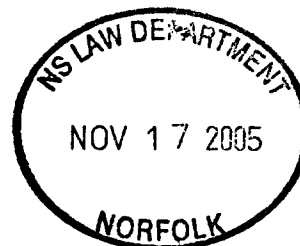


Norfolk Southern Corporation
Strategic Planning
Three Commercial Place
Norfolk, Virginia 23510-2191
757 629-2887

Marcellus C. Kirchner
Director Strategic Planning
(757) 629-2679
(757) 823-5807 FAX

November 16, 2005

Dr. Ed Bridges, Interim SHPO
Alabama Historical Commission
468 South Perry Street
Montgomery, AL 36130-0900



RE: Docket No AB-290 Sub-No. 265X, Norfolk Southern Railway Company
Abandonment – from Fort McClellan, Alabama to Anniston, Alabama

Dear Dr. Bridges:

Norfolk Southern soon expects to file with the Surface Transportation Board a Notice of Exemption seeking authority to abandon 5.8 miles of rail line between milepost 55.3 N and 61.1 N from Fort McClellan to Anniston in Calhoun County, Alabama. Enclosed is a Historic Report describing the proposed action and any expected historic effects, as well as a map of the affected area, topographical maps and a bridge information list.

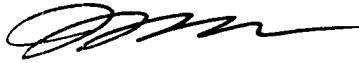
We are providing this report so that you may review the information that will form the basis for the Board's independent environmental analysis of this proceeding. If you believe any of the information is misleading or incorrect, if you believe that pertinent information is missing, or if you have any questions about the Board's environmental review process, please contact the Section of Environmental Analysis (SEA), Surface Transportation Board, 1925 K Street, N.W., Washington, D. C. 20423-0001, Telephone (202) 565-1545, and refer to the above Docket. Because the applicable statutes and regulations impose stringent deadlines for processing this action, your written comments (with a copy to us) would be appreciated as soon as possible. Please refer your comments to Donna Braun by email at donna.braun@nscorp.com or by mail to:

Donna Braun
Norfolk Southern Railway Company
3 Commercial Place
12th Floor – Strategic Planning
Norfolk, VA 23510

Page 2
November 16, 2005

Your comments will be considered by the Board in evaluating the historic impacts of the contemplated action. If there are any questions concerning this proposal, please contact Ms. Braun directly as indicated above.

Sincerely,

A handwritten signature in black ink, appearing to read 'MK', with a long horizontal flourish extending to the right.

Marcellus C. Kirchner

Enclosures

cc: James Paschall

**Historic Report
Certificate of Service**

Pursuant to the requirements of 49 C.F.R § 1105.8(c), the undersigned hereby certifies that a copy of the Historic Report in Docket No. AB-290 (Sub-No. 265X) was mailed via first class mail on November 16, 2005 to the following party:

Dr. Ed Bridges, Interim SHPO
Alabama Historical Commission
468 South Perry Street
Montgomery, AL 36130-0900



Marcellus C. Kirchner
January 11, 2006

PROOF OF PUBLICATION

Exhibit 3

STATE OF ALABAMA
CALHOUN COUNTY

Personally appeared before me Phillip A. Sanguinetti,
who being duly sworn, makes oath that he is President of THE
ANNISTON STAR, a daily newspaper published in Anniston,
Alabama, and that the attached notice ran as follows:

December 16, 2005

Dates:

Description :

Abandon Rail Service

Phillip A. Sanguinetti
Signature

Sworn to and subscribed to
before me this date:

December 16, 2005

Amylee Linder
Notary Public

MY COMMISSION EXPIRES June 11, 2008

NOTICE OF INTENT TO
ABANDON RAIL
SERVICE

Norfolk Southern Railway Company gives notice that on or about January 13, 2006, it intends to file with the Surface Transportation Board (STB), Washington, DC 20423, a notice of exemption under 49 U.S.C. 10502 from the prior approval requirements of 49 U.S.C. 10903, *et seq.*, permitting the abandonment of a 5.8 mile-line of railroad between milepost 55.3 N at Fort McClellan and milepost 61.1 N at Anniston, in Calhoun County, Alabama, which traverses through United States Postal Service ZIP Codes 36201, 36203, 36205, 36206 and 36207, in Calhoun County, Alabama. The proceeding will be docketed as No. AB-290 (Sub-No. 265X).

The STB's Section of Environmental Analysis (SEA) will generally prepare an Environmental Assessment (EA), which will normally be available

25 days after the filing of the notice of exemption. Comments on environmental and energy matters should be filed no later than 15 days after the EA becomes available to the public and will be addressed in an STB decision. Interested persons may obtain a copy of the EA or make inquiries regarding environmental matters by writing to the Section of Environmental Analysis, Surface Transportation Board, 1925 K Street, N.W., Washington, DC 20423-0001 or by calling that office at 202-565-1545.

Appropriate offers of financial assistance to continue rail service can be filed with STB. Requests for environmental conditions, public use conditions, or rail banking/trails use also can be filed with the STB. An original and 10 copies of any pleading that raises matters other than environmental issues (such as trails use, public use, and offers of financial assistance) must be filed directly with the STB's Office of the Secretary, 1925 K Street, N.W., Washington, DC 20423-0001 [See 49 CFR 1104.1(a) and 1104.3(a)] and one copy must be served on applicant's representative [See 49 CFR 1101.12(a)]. Questions regarding offers of financial assistance, public use or trails use may be directed to the STB's Office of Public Assistance at 202-927-7597. Copies of any comments or requests for conditions should be served on the applicant's representative: James R. Pascall, Senior General Attorney, Norfolk Southern Corporation, Three Commercial Place, Norfolk, VA 23510-9241, (757) 629-2759.
December 16, 2005



Exhibit 4

Norfolk Southern Corporation
Law Department
Three Commercial Place
Norfolk, Virginia 23510-9241

Writer's Direct Dial Number

James R. Paschall
Senior General Attorney

(757) 629-2759

January 3, 2006

Mr. Jim Sullivan, President
Alabama Public Service Commission
100 N. Union Street
RSA Union, Suite 850
Montgomery, AL 36130

Regional Director
National Park Service
100 Alabama St. SW
1924 Building
Atlanta, GA 30303

MTMCTEA
Attn: Railroads for National Defense
720 Thimble Shoals Blvd., Suite 130
Newport News, VA 23606-2574

National Park Service
Recreation Resources Assistance Division
1849 C Street, N. W. (2310)
Washington, DC 20240-0001

U. S. Department of Agriculture
Chief of the Forest Service
Sidney R. Yates Federal Building
1400 Independence Ave., SW
Washington, DC 20250-0003

Mr. William Shaddox
National Park Service
Land Resources Division
1849 C Street, N. W. #MS3540
Washington, DC 20240

Re: STB Docket No. AB-290 (Sub-No. 265X), Norfolk Southern Railway Company –
Abandonment in Calhoun County, Alabama

Ladies and Gentlemen:

Pursuant to 49 CFR 1152.50(d)(1), Norfolk Southern Railway Company (NSR) hereby gives notice that on or about January 13, 2006, it will file with the Surface Transportation Board a notice of exemption from regulation in accordance with the exemption regulations set forth at 49 CFR Part 1152, Subpart F. That notice of exemption will permit NSR's abandonment of a 5.8-mile line of railroad lying between milepost 55.3 N at Fort McClellan and milepost 61.1 N at Anniston, in Calhoun County, Alabama (see attached map). No revenue traffic has originated or terminated or moved overhead on the line to be abandoned for more than two years. Based on information in our possession, the line does not contain federally granted rights-of-way. Any documentation in the railroad's possession will be made available promptly to those requesting it.

Very truly yours,

James R. Paschall /kch

James R. Paschall

JRP:kch
Enclosure